

Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

Bob Dawson, et al,

Plaintiffs,
v.

Porch.com Inc., a Delaware corporation;
GoSmith Inc. a Delaware corporation;
Matthew Ehrlichman, CEO and co-
founder of Porch.com Inc. and CEO of
GoSmith, Inc., in his individual capacity;
Brenton Marrelli, CEO and co-founder of
GoSmith Inc., in his individual capacity;
and **Darwin Widjaja**, CTO and co-founder
of GoSmith Inc. and VP of Porch.com Inc.,
in his individual capacity,

Defendants

Civil Case No.: 2:2020-cv-00604-RSL

**PLAINTIFFS’
AMENDED COMPLAINT**

JURY DEMAND

Judge Robert S. Lasnik

Pursuant to the Stipulated Motion for Leave to Amend Complaint (Docket #33), and the Court's Order granting such leave (Docket #35), Plaintiffs respectfully file this Amended Complaint.

On October 23, 2020, the parties agreed and stipulated to allow Plaintiffs to amend the original Complaint in order to consolidate ten related actions that were pending in other jurisdictions (by including those plaintiffs in the instant matter and dismissing the other related actions after those plaintiffs were added here). The purpose of this agreement to consolidate is to simplify proceedings and discovery for the parties and has been negotiated in good faith. Each Plaintiff has clarified their individual and particular allegations and pleadings, based on each Plaintiffs' records and recollections. State claims for Washington residents/plaintiffs have been added. Finally, one plaintiff from the original *Dawson* suit was removed at his request and two new plaintiffs who had not previously filed suit were added to this amended complaint at Defendants' request.

I. Introduction

Bob Dawson and 941 other individuals ("Plaintiffs") bring this action seeking to enforce Plaintiffs' rights to privacy under the Telephone Consumer Protection Act ("TCPA"), 47 U.S.C. § 227. The TCPA is a federal statute enacted in 1991 in response to widespread public outrage about the proliferation of intrusive, nuisance telemarketing practices. See *Mims v. Arrow Fin. Servs., LLC*, 132 S. Ct. 740, 745 (2012). 185 Washington-resident Plaintiffs also bring claims under the Washington Commercial Electronic Mail Act ("CEMA"), RCW § 19.190.060, Washington Automatic Dialing and Announcing Device Statute ("WADAD"), R.C.W. § 80.36.400, the Washington Do Not Call Statute ("WDNC"), R.C.W. § 80.36.390, and the Washington Consumer Protection Act ("WPCA"), R.C.W. § 19.86.090.

Porch.com Inc., GoSmith Inc, Matthew Ehrlichman, Darwin Widjaja, and Brenton Marrelli ("Defendants") have blatantly violated the TCPA by using an automatic telephone dialing system, or "ATDS", to call and text Plaintiffs' cellular telephone numbers, soliciting purchases from and attempting to sell leads to Plaintiffs. Further violating the TCPA,

1 Defendants called and texted some Plaintiffs despite their presence on the National Do Not
 2 Call Registry, and sent text messages and/or phone calls to all Plaintiffs without instituting
 3 procedures that meet the minimum standards required by 47 U.S.C. § 227 for telemarketing.
 4 Finally, Defendants called and texted Washington State residents in violation of the CEMA,
 5 WADAD, WDNC, and WPCA.

6 Plaintiffs have standing under the TCPA (and Washington residents have additional
 7 standing under RCW 19.190.060, R.C.W. § 80.36.400, RC.W. § 80.36.390, and R.C.W. §
 8 19.86) to bring this action before the Court, which Plaintiffs now do, and respectfully request
 9 relief. The following is true, upon information and belief, and as reported by each Plaintiff.

10 II. Parties

11 1. There are 942 Plaintiffs in this lawsuit, each of whom is a “person” as defined by
 12 47 U.S.C. § 153 (39). *See Exhibit A* for a full list of Plaintiffs’ names, as well as their county
 13 and state of residence.

14 2. Defendant Porch.com (“Porch.com”) is a domestic Delaware corporation with its
 15 principal place of business at 2201 1st Ave. S., Seattle, WA 98134.

16 3. Defendant GoSmith, Inc. (“GoSmith”) is a domestic Delaware corporation with
 17 its principal place of business at 2200 1st Ave S, Seattle, WA, 98134, according to its August
 18 13, 2020 Foreign Registration Statement with the Office of the Secretary of State.

19 4. Defendant Matthew Ehrlichman (“Ehrlichman”) is a “person” as defined by 47
 20 U.S.C. § 153 (39) and is a resident of King County, Washington.

21 5. Defendant Brenton Marrelli (“Marrelli”) is a “person” as defined by 47 U.S.C. §
 22 153 (39) and is a resident of San Mateo County, California.

23 6. Defendant Darwin Widjaja (“Widjaja”) is a “person” as defined by 47 U.S.C. §
 24 153 (39) and is a resident of Alameda County, California.

25 III. Jurisdiction and Venue

26 7. This Court has jurisdiction over the subject matter of this action under 28 U.S.C.
 27 § 1331, as the action arises under the TCPA, which is a federal statute.

1 8. This Court has personal jurisdiction over Defendant Ehrlichman because he is
2 domiciled in this District.

3 9. This Court has personal jurisdiction over Porch.com, Inc. because its principal
4 place of business is in this District.

5 10. The Court has personal jurisdiction over GoSmith, Inc. because its principal place
6 of business is in this District.

7 11. This Court has personal jurisdiction over all Defendants because they each
8 conducted a significant amount of business in this District, they availed themselves of
9 jurisdiction in Washington by soliciting businesses in this District, and because they sent
10 unsolicited text messages to individuals in this District. *Advanced Dermatology v. Adv-Care*
11 *Pharmacy, Inc.*, No. 1:17 CV 251 (N.D. Ohio Oct. 31, 2017) (holding that the court could
12 exercise personal jurisdiction over a Canadian telemarketer where either it or a third party
13 acting on its behalf, sent unwanted telemarketing messages to a plaintiff without the plaintiff's
14 consent).

15 12. The Court has personal jurisdiction over all Defendants pursuant to Washington's
16 long arm statute, RCW § 4.28.185, because the Defendants are natural persons or corporations
17 who engaged in substantial activities in this state and because the statutory injury both
18 occurred in this District and arose from acts that occurred in this District.

19 13. The Court has supplemental jurisdiction over the Washington Plaintiffs' state
20 claims under 28 U.S.C. § 1367, which provides that, "[I]n any civil action of which the district
21 courts have original jurisdiction, the district courts shall have supplemental jurisdiction over all
22 other claims that are so related to claims in the action within such original jurisdiction that they
23 form part of the same case or controversy under Article III of the United States Constitution."
24 The facts giving rise to Plaintiffs' Washington state claims are the same as those which give
25 rise to the claims raised under the TCPA. *See infra*, §§ IV and V.

14. Venue is proper in this District under 28 U.S.C. § 1391(b) because all Defendants were involved in conducting a significant amount of business within this District and all engaged in significant telemarketing to this District.

IV. Statement of Facts Common to All Claims

15. The business model of GoSmith and Porch.com is to sell leads and advertising services to individuals they claim are home improvement contractors. The leads that GoSmith and Porch.com sell are purportedly the information of people looking for help with services such as painting, landscaping, plumbing, etc. GoSmith and Porch.com also market aggressively to contractors in order to sell them prominent advertising on Defendants' online platforms.

16. Starting around August 2012 until 2019, GoSmith, at the express direction of Defendant Widjaja and Defendant Marrelli, and with Widjaja and Marrelli's involvement and technical expertise, developed and engaged in massive programmatic web crawls, "scraping" the web for customer reviews that listed contact information for possible home improvement and repair contractors. GoSmith, through Widjaja and Marrelli, scraped the websites of Yelp.com, YellowPages.com, BBB.org, and other similar web pages, obtaining the contact information of over ten million individuals nationwide without the individuals' knowledge or consent.

17. GoSmith obtained the personally identifying information from third-party websites entirely outside of the control of any plaintiff in this action.

18. Each time GoSmith scraped a new individual's personally identifying information, GoSmith sequentially stored that information in GoSmith's own database. This included the name of a business, the individual's home address (including city, state, and zip code), the individual's cell phone number, the potential category of services the individual supposedly provided, **the exact third-party URL where GoSmith obtained the information, the date the information was first obtained**, and more. *See e.g. Exhibit B*, "Scraped and Stored Data for Bob Dawson" (showing that GoSmith obtained Bob Dawson's personal phone number, address, latitude, longitude, and the name of his long-defunct business, "R

1 Remodeling & Handyman Services” from various reviews previous clients had left on third-
2 party websites) (see also *supra* at ¶ 83 for Plaintiff Bob Dawson’s statement of facts and
3 claims).

4 19. When storing the information, GoSmith generated a unique ProviderID for each
5 individual. The ProviderID increased sequentially for each new individual that GoSmith stored
6 in its database (e.g. 11401, 11402, 11403, 11404, etc.). Thus, GoSmith used a sequential
7 number generator to *store* each phone number and associated information for each individual.

8 20. GoSmith then sent unsolicited, automated text messages to the individual’s
9 mobile phone number.

10 21. Some Plaintiffs have received over 1,000 text messages from GoSmith. For
11 example, Plaintiff Bob Dawson has received at least 1,131 texts from GoSmith. *See Exhibit C.*

12 22. Plaintiffs’ telephone numbers are residential numbers in that they are subscribed
13 under residential plans, paid for with personal funds, used to communicate with Plaintiffs’
14 family and friends, and/or kept nearby at all hours of the day and night.

15 23. Reverse phone number lookups on the text messages show that GoSmith used
16 Sprint Business, Bandwidth, and other similar telephone providers to send the text messages.

17 24. Sprint Business and Bandwidth allow users to send text messages via an API
18 (customizable code) so that text messages can be sent automatically with software or a
19 computer program. In fact, with Bandwidth, the only way to send text messages is using their
20 API and online cloud infrastructure.

21 25. The messages GoSmith sent to Plaintiffs usually said: “[Name] is wanting
22 [service] in [city]. You have 1st priority. Reply 1 if interested, 3 if not.”

23 26. The manner in which GoSmith wrote and responded to the messages show that an
24 automated system—and not a human—sent, processed, and responded to the messages.

25 27. A human who manually sends and responds to a text message conversation does
26 not tell someone: “Reply 1 if interested, 3 if not.” Rather, these numbers are codes for an
27 automated system to receive a response, interpret the message, and automatically respond.

1 28. When any of the Plaintiffs responded with a question or tried to have a
2 conversation with GoSmith, no one responded. For example, when Plaintiffs asked, “Who is
3 this?” they received no reply. GoSmith abandoned 100% of the calls where they initiated texts
4 to Plaintiffs, in violation of 47 C.F.R. § 16.1200(a)(7).

5 29. The foregoing indicates that GoSmith (i) stored phone numbers to be dialed in
6 GoSmith’s database, (ii) coded their system to integrate with telephone providers such as
7 Bandwidth and others that allow for programmatic and automatic text messaging, and (iii) then
8 sent automated text messages at scale to the stored numbers. Thus, GoSmith knowingly and
9 willfully sent the text messages using an automatic telephone dialing system.

10 30. None of the text message calls included the name of the person sending the text
11 message, nor the phone number or address where the company could be contacted, although
12 many of the text messages identified “Smith” or “GoSmith” as the company to purchase leads
13 from or download apps from. GoSmith not only abandoned the calls where they initiated texts
14 to Plaintiffs, they also failed in every instance to comply with the provisions requiring
15 identification and an automatic opt-out mechanism, in violation of 47 C.F.R. § 16.1200(a)(7)(i)
16 and (iii).

17 31. At no time did Plaintiffs provide their phone number or information to GoSmith
18 or any of the other Defendants. Plaintiffs never consented, in any form, to receive the
19 solicitations Defendants initiated, whether they were automated text messages, automated calls,
20 telemarketing calls, or any other form of marketing.

21 32. Because GoSmith obtained Plaintiffs’ information by scraping third party
22 websites, it is impossible that GoSmith or the other Defendants can say they relied on
23 Plaintiffs’ websites or other marketing materials to construe that Plaintiffs somehow gave
24 GoSmith or the other Defendants consent for solicitations.

25 33. The website links included in the text messages directed Plaintiffs to
26 gosmith.com.
27

34. Also, many text messages contained URLs such as www.smithjobs-2.com. These were custom URLs that redirected to gosmith.com when clicked and allowed GoSmith to track the behavior and activity of the individuals GoSmith was text messaging.

35. The WHOIS domain information for smithjobs-2.com shows the registrant name as **Darwin Widjaja** and registrant email as darwin@gosmith.com. Widjaja was involved in the technological setup and administration of these telemarketing campaigns in Washington and personally registered the domain that the links directed through.

36. The domain gosmith.com is owned and controlled by GoSmith and was GoSmith's website until GoSmith shut it down January 31, 2020.

37. The text messages were sent by GoSmith, as indicated from the above facts: the messages were sent from phones registered to Defendants GoSmith and Porch and contained links hosted by domains registered to GoSmith which redirected Plaintiffs to GoSmith's website to purchase credits.

38. When an individual clicked any of the URLs to view a lead, the individual was required to purchase credits to receive the lead information.

39. Also, if Plaintiffs asked GoSmith for more information by responding "2", GoSmith sent this message: "Our system runs on appointment credits, 1 credit is \$8. We guarantee a connection with the homeowner or we'll refund your credits. Reply 1 to get started."

40. GoSmith was selling leads, not merely giving away information or connecting third parties with each other. The text messages were business solicitations and constitute telemarketing.

41. None of the text messages asked Plaintiffs if they wanted to come work for Defendants or offered Plaintiffs employment at GoSmith or Porch.com. They were not messages regarding employment or job opportunities.

42. Brenton Marrelli is the co-founder, CEO, and “Governor” of GoSmith who personally created, set up, ran, and oversaw GoSmith’s marketing from its inception. GoSmith’s business filing in Washington lists Marrelli as GoSmith’s Governor.

43. In a declaration filed in August 2017, Marrelli stated: “I am the Chief Executive Officer (‘CEO’) of GoSmith, Inc. (‘GoSmith’), and I have held this position since January 2017. In my role as CEO of GoSmith, *I am involved in nearly every facet of GoSmith’s operations* and have comprehensive personal knowledge of GoSmith’s business model and internet operations.” Declaration of Brenton Marrelli in Support of Defendant GoSmith, Inc.’s Motion to Compel Arbitration in *Rojas v. GoSmith, Inc.*, (N.D. Ind. 2017), 17-cv-00281, Dkt. 16-2, ¶ 2 (emphasis added) (attached hereto as **Exhibit D**).

44. On LinkedIn, Marrelli lists himself as the CEO of GoSmith (2012 – Present). *See* <https://www.linkedin.com/in/brentonmarrelli/>, last accessed on January 30, 2020 2:25 p.m. MST (attached hereto as **Exhibit E**, downloaded on October 23, 2019, *see also* Declaration of Rebecca Evans in Support of Plaintiffs’ Amended Complaint).

45. Darwin Widjaja is the co-founder of GoSmith who personally created, set up, ran, and oversaw GoSmith’s marketing and client contact management system from its inception. In a declaration filed October 2017, Widjaja stated: “I am the Chief Technology Officer (‘CTO’) of GoSmith, Inc. (‘GoSmith’), and I have held this position since January 2017. In my role as CTO of GoSmith, *I am involved in nearly every facet of GoSmith’s operations* and have comprehensive personal knowledge of GoSmith’s business model and internet operations.” Declaration of Darwin Widjaja in Support of Defendant GoSmith, Inc.’s Motion to Compel Arbitration in *La Force v. GoSmith, Inc.*, (N.D. Cal. 2017), 4:17-CV-05101, Dkt. 16-1, ¶ 2 (emphasis added) (attached hereto as **Exhibit F**).

46. Widjaja states that he is the CTO of GoSmith on his LinkedIn profile and states that: “My co-founder [Marrelli] and I bootstrapped the company and in 5 years, we were able to grow the service to cover nationwide and reaching [sic] \$10M in annual revenue. Prior to an

1 acquisition by Porch.com in January 2017, I was building and managing a team of engineers,
2 designer [sic] and customer success managers.” See [https://www.linkedin.com/in/](https://www.linkedin.com/in/darwinwidjaja/)
3 [darwinwidjaja/](https://www.linkedin.com/in/darwinwidjaja/), last accessed on January 30, 2020 2:25 p.m. MST (attached hereto as **Exhibit**
4 **G**, downloaded on October 23, 2019, *see also* Declaration of Rebecca Evans).

5 47. On the same LinkedIn profile, Widjaja also lists himself as the Vice President
6 (“VP”) of Porch.com and states that he is in charge of building and managing Porch’s “CRM”,
7 or “Customer Relationship Management” system, an automated system that connects a
8 company to its customers (usually through automated messages, calls, emails, and texts) and
9 manages customer data and interactions with the company. *Id.*

10 48. Marrelli and Widjaja, as the directors and officers of GoSmith, have been directly
11 involved in the strategy, approval, set up, and execution of telemarketing campaigns targeting
12 Plaintiffs, including Washington residents, which violated the TCPA and gave rise to
13 Plaintiffs’ statutory injuries. They personally authorized, oversaw, and directed the engineers
14 and software designers who built the automated system and designed the databases that scraped
15 and stored Plaintiffs’ information as well as personally managed and directed the telemarketing
16 central to GoSmith’s business which aggressively solicited to Plaintiffs, including those in
17 Washington, without first obtaining Plaintiffs’ permission.

18 49. GoSmith’s corporate listing with the State of Washington lists Defendants
19 Ehrlichman and Marrelli as the Governors of GoSmith. GoSmith’s foreign business filing in
20 California shows Ehrlichman is GoSmith’s CEO.

21 50. Marrelli and Widjaja, as directors and officers of GoSmith, and Ehrlichman as
22 Governor and CEO of GoSmith, were responsible for implementing policies and procedures
23 for TCPA compliance within GoSmith and/or Porch.com. However, they failed to implement
24 policies or procedures for TCPA compliance within GoSmith and/or Porch. They further failed
25 to properly train their employees in the required TCPA procedures, and they knowingly
26 participated, authorized, built, and directed an illegal telemarketing platform which violated the
27

1 TCPA and harmed Plaintiffs. Each is personally liable not only as GoSmith's officer but also
2 as tort participants in their own right.

3 51. Ehrlichman and Widjaja, as directors and officers of Porch.com, were responsible
4 for implementing policies and procedures for TCPA compliance within Porch and/or GoSmith.
5 However, they failed to implement policies or procedures for TCPA compliance within
6 Porch.com and/or GoSmith. They further failed to properly train their employees in the
7 required TCPA procedures, and they knowingly participated, authorized, built, and directed an
8 illegal telemarketing platform which violated the TCPA and harmed Plaintiffs. Each is
9 personally liable not only as Porch.com's officer but also as tort participants in their own right.

10 52. Since 2017, GoSmith has been sued 10 times for TCPA violations. In each
11 lawsuit, Marrelli, Widjaja, and Ehrlichman were given actual and constructive notice that
12 GoSmith's telemarketing was problematic and illegal. Marrelli, Widjaja, and Ehrlichman were
13 in the position to correct GoSmith's illegal telemarketing scheme, yet they continued to
14 authorize GoSmith's telemarketing methods, both explicitly and implicitly.

15 53. Defendant Ehrlichman is the co-founder and CEO of Porch.com.

16 54. Porch.com is an online platform that offers to help homeowners find vetted
17 professionals for home improvement projects by recommending contractors who provided
18 those services, ostensibly within Porch.com's "network" of providers.

19 55. However, interviews with Ehrlichman paint a much different picture. Ehrlichman
20 bragged on the December 12, 2014 episode of "Mad Money" on CNBC that Porch.com did not
21 simply provide the information of individuals and businesses who paid to advertise on
22 Porch.com, but rather that Porch scraped the entire web to find reviews from local homeowners
23 and aggregated the information it gleaned (names, phone numbers, and potential business
24 names), posting them in its search results as "professionals in Porch.com's network." *See*
25 https://youtu.be/3tacEI_Va0A, last accessed on October 15, 2020 6:10 PM MST.

26 56. Thus, according to Ehrlichman, Porch.com (much like GoSmith) intentionally
27 scraped, stored, and displayed the personal information of individuals who had not consented

1 to Porch.com's use of their name or information, and who had not requested to advertise on nor
 2 consented to be listed on Porch.com's online directory. *Id.*

3 57. In 2016 and possibly before, Porch.com engaged in acquisition discussions with
 4 GoSmith, Inc..

5 58. Ehrlichman was personally involved in the acquisition meetings and negotiations
 6 between GoSmith and Porch.com, which also included Marrelli and Widjaja.

7 59. Ehrlichman stated on September 7, 2016 that he prefers to have meetings in
 8 person and that he keeps his "trusty notebook" in those meetings which he uses to "document"
 9 important information from such meetings. Reader, Grace. Entrepreneur. "20 Questions: How
 10 This Founder Uses His Competitiveness to Succeed in Business." September 7, 2016. [https://](https://www.entrepreneur.com/article/280231?utm_source=Social&utm_medium=Sharebar&utm_campaign=Sumome_share)
 11 [www.entrepreneur.com/article/280231?utm_source=Social&utm_medium=Sharebar&u](https://www.entrepreneur.com/article/280231?utm_source=Social&utm_medium=Sharebar&utm_campaign=Sumome_share)
 12 [tm_campaign=Sumome_share](https://www.entrepreneur.com/article/280231?utm_source=Social&utm_medium=Sharebar&utm_campaign=Sumome_share), last accessed at on November 12, 2020 at 9:52 AM MST.

13 60. Plaintiffs believe discovery into the relevant discussions and evidence (such as
 14 Ehrlichman's appointment calendar and handwritten meeting notebooks) will show that
 15 Ehrlichman was personally involved in discussions regarding the details of GoSmith's
 16 automated telemarketing platform and systems and that he was intimately involved in
 17 authorizing and directing the integration of GoSmith and Porch.com's automated telemarketing
 18 systems that texted and called Plaintiffs and other individuals in Washington without first
 19 obtaining prior express permission, in violation of the TCPA.

20 61. In addition to Ehrlichman, Marrelli, and Widjaja being personally liable as tort
 21 participants, Porch.com is also liable due to its participation in violating the TCPA.

22 62. Porch.com acquired GoSmith in January 2017 and GoSmith became a wholly-
 23 owned subsidiary of Porch.com.

24 63. Porch.com continued to solicit advertisements for its website, but simultaneously
 25 integrated its databases with GoSmith's in order to sell purported job leads using GoSmith's
 26 telemarketing platform. Porch.com used GoSmith's automated telemarketing platform to text
 27

1 Plaintiffs in violation of the TCPA, attempting to sell Plaintiffs Porch.com's leads and
2 GoSmith's services without first obtaining Plaintiffs' prior express consent to be contacted.

3 64. In 2017, after Porch.com acquired GoSmith, Plaintiffs began receiving sales calls
4 asking them to purchase advertising and pay for preferred listings on Porch.com's platform.
5 Defendants utilized the combined Porch/GoSmith telemarketing system sell Porch.com's
6 services.

7 65. Porch.com is vicariously liable for text messages and calls that GoSmith placed
8 seeking buyers for Porch.com's leads and advertising. In sending these text messages and
9 placing those calls, GoSmith was the agent of Porch.com and had Porch.com's actual authority.

10 66. Further, Porch.com ratified GoSmith's actions. GoSmith was sued 10 times for
11 TCPA violations in the past three years, *after* Porch.com had acquired GoSmith and integrated
12 Widjaja as Vice President of Porch.com. Porch.com had actual knowledge of material facts
13 regarding GoSmith's telemarketing (which Widjaja had created and integrated with the
14 Porch.com database and online system that Ehrlichman designed and had intimate knowledge
15 of). Porch.com chose to accept the benefits of GoSmith's solicitations by intentionally
16 acquiring GoSmith for that purpose and continuing to send leads to GoSmith for telemarketing
17 even after being put on notice that the calls and text messages violated the TCPA.

18 67. GoSmith is the alter ego of Porch.com and therefore Porch.com is liable for
19 GoSmith's calls and texts to Plaintiffs, including those in Washington, that violated the TCPA.

20 68. Porch.com is also liable for GoSmith's illegal telemarketing under the doctrine of
21 piercing the corporate veil. Porch.com has intentionally used the corporate form to prevent
22 liability for illegal telemarketing. Treating Porch.com and GoSmith as a single corporation is
23 necessary to avoid the injustice which would result from treating them as distinct entities,
24 especially since GoSmith was effectively dissolved the last day of January 2020 and no longer
25 exists.

69. Such a unity of ownership and interest exists between GoSmith and Porch.com that the separate corporations of GoSmith and Porch.com no longer existed even before GoSmith was dissolved in January 2020. This is evidenced by following facts:

a. GoSmith is inadequately capitalized. GoSmith intentionally and willfully exposed itself to hundreds of millions of dollars in TCPA violations without sufficient means to pay for these liabilities. GoSmith closed its doors at the end of January 2020, and now has few-to-no assets.

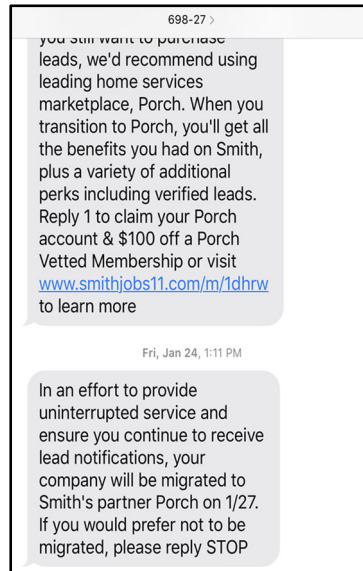
b. GoSmith has been the mere instrumentality of Porch.com for a single venture. Porch.com used GoSmith to expand its client sales network, and GoSmith funneled their enormous database of personally-identifying information (phone numbers, addresses, names, etc.) to Porch.com. The purpose of this single venture was to build a massive nationwide network of potential clients for Porch.com's services and products.

c. GoSmith and Porch.com have commingled their assets. Here are six examples of their commingling:

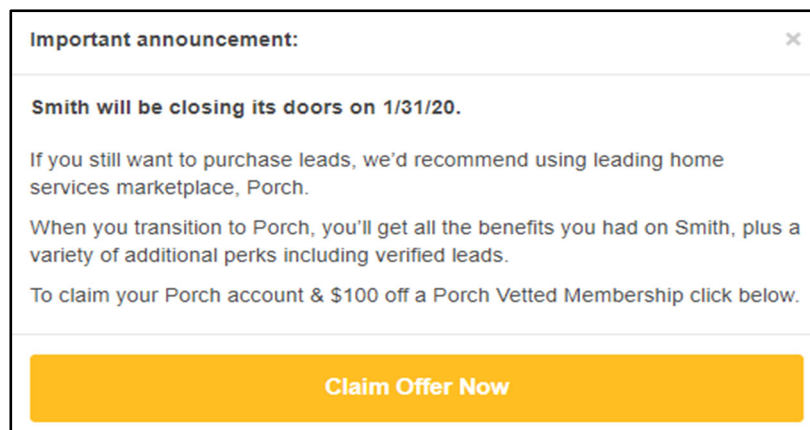
i. First, at <https://forum.nachi.org/t/porch-gosmith/120546>, a user named Vince Del Fine reported in December 2017: "I received a lead from both [Porch.com and GoSmith] and it's the same client. Not the first time either." A user named Frank Rotte responded, "I believe they are one in [sic] the same. I signed up with Porch as a client looking for a home inspection, and received a text from Smith, as the inspector, asking if I was interested in the job." *Id.*

ii. Second, GoSmith's website showed detailed information regarding the leads GoSmith was texting to individuals, including the source of each lead. Virtually all of the leads since January 2017—when Porch.com acquired GoSmith—show the source of the leads as: "PorchSharedLeads." In other words, in an effort to find clients to buy Porch.com's leads, Porch.com used GoSmith to telemarket to residential cell phones nationwide. *See Exhibit H.*

iii. Third, at the end of January 2020 when GoSmith was winding down, GoSmith sent text messages to Plaintiffs informing them that their information would be automatically migrated to Porch.com. This is the message Plaintiffs received:



iv. Fourth, if recipients clicked the links or URLs in any of GoSmith's text messages during the last week of January 2020, that individual was automatically logged into an online dashboard on GoSmith.com which displayed their personal information along with this message:



v. Fifth, the data that loaded in any browser when an individual clicked the links showed that GoSmith saved multiple fields of data for each

individual, including fields called “PorchMigrationState,” (which showed whether or not GoSmith had migrated the individual’s personal information to Porch.com) and a field called “PorchCompanyID,” (that assigned a unique number in sequential order, allowing Defendants to both assign marketing campaigns to contact that person using an ATDS and to evaluate responses from that person using client management software, programmatically). *See Exhibit B* at 4.

vi. Sixth, GoSmith and Porch.com shared the same phone numbers to send text messages to individuals. Many of the text messages GoSmith sent came from numbers assigned to Porch.com, such as 650-250-7911 and 650-250-7913. CNAM is an authoritative database that phone companies use to identify the entity or person behind a telephone number. A CNAM lookup on these numbers returns the name “Porchcom Inc.” In other words, GoSmith and Porch.com shared the same phone numbers to send text messages. GoSmith merged its telemarketing database and calling infrastructure with Porch.com’s systems and used their phone numbers to contact Plaintiffs on behalf of both companies.

70. Porch.com has used GoSmith as a subterfuge for illegal transactions. The text messages GoSmith sent violate the TCPA. After ten (10) TCPA class actions have been brought against GoSmith in the last three years, Porch.com clearly had actual and/or constructive knowledge that GoSmith’s telemarketing was problematic, if not illegal. But Porch.com continued to intentionally abuse the corporate form and utilize GoSmith to spam Plaintiffs because it allowed Porch.com to evade their duties under the TCPA and escape the legal consequences of their actions. GoSmith’s actions were undertaken on behalf of Porch.com, rather than simply in GoSmith’s own interest.

71. Porch.com and GoSmith have identical officers. On LinkedIn, until recently, Widjaja not only listed himself as the CTO of GoSmith but also as a VP of Porch.com. And Ehrlichman is the CEO of Porch.com and the CEO of GoSmith.

72. Both Porch.com and GoSmith have employed the same attorneys from Manatt, Phelps & Phillips, LLP for some years.

73. Porch.com has had actual and/or constructive knowledge of GoSmith's blatant TCPA violations. Porch.com allowed GoSmith to continue to spam Plaintiffs because of the benefit to Porch.com's business. It would be unfair, unjust, and inequitable to allow Porch.com to hide behind GoSmith's corporate veil, which would prevent Plaintiffs from obtaining any meaningful remedy because GoSmith has transferred its assets to Porch.com and shut down.

74. Defendants harmed Plaintiffs in the exact way that Congress sought to prevent by enacting the TCPA when they failed to institute and maintain internal do not call procedures and policies, when they failed to comply with the TCPA's requirements, and when they placed automatic telemarketing calls and text messages to Plaintiffs and then abandoned those calls.

75. Plaintiffs have lost time and have suffered annoyance, nuisance, and an egregious invasion of their privacy because of Defendants' text messages and calls.

76. Additionally, those Plaintiffs residing in the State of Washington were harmed by Defendants in the exact way the Legislature sought to prevent by the Washington Automatic Dialing and Announcing Device Statute, R.C.W. § 80.36.400, the Washington Do Not Call Statute, RC.W. § 80.36.390, and the Washington Consumer Protection Act, R.C.W. § 19.86.

V. Statement of Individualized Facts and Claims

77. Bob Dawson personally owns and uses the cellular phone number xxx-xxx-8008. This number is a residential telephone subscription and is Dawson's personal cell phone. This is the same number Bob Dawson got in high school 17 years ago. Dawson still uses the number for all his personal calls and pays for this phone number from his personal bank account. Furthermore, Dawson established the business R Remodeling & Handyman around 2007 and only ran it until 2008, when he closed that business. In the four years preceding 4/22/2020 (the date Dawson's original Complaint was filed), GoSmith sent at least 1,131 telemarketing text messages to Dawson's personal cell phone at this number, asking him for remodeling and handyman services and listing his business as "R Remodeling & Handyman" on the landing

1 page, although that business had not existed for almost a decade and Dawson has not
 2 advertised his services for 12 year, never had a business website, and never listed this personal
 3 number on any third party websites in order to market those services. GoSmith obtained his
 4 number from third party websites that obtained it from client reviews or from web scraping
 5 bots without Dawson's knowledge, consent, or permission. GoSmith's own data showed that
 6 Dawson did not have a website for his defunct business. *See Exhibit B* ("Url": null,) at 1.
 7 GoSmith knowingly and willfully sent these text messages using an automatic telephone
 8 dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7).
 9 GoSmith knowingly and willfully sent these text messages without instituting procedures that
 10 meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and
 11 47 C.F.R. § 64.1200(d). Dawson seeks an amount not less than \$1,696,500 for at least 1,131
 12 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$1,696,500
 13 for at least 1,131 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Dawson
 14 seeks an amount not less than \$565,500 for at least 1,131 negligent violations of 47 U.S.C. §
 15 227(b), and not less than \$565,500 for at least 1,131 negligent violations of 47 U.S.C. § 227(c).
 16 Finally, GoSmith sent Dawson at least 1131 commercial text messages in violation of RCW §§
 17 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in
 18 violation of RCW § 80.36.390, for which Dawson seeks an amount not less than \$565,500,
 19 attorney's fees, injunctive relief, and treble damages.

20 78. David Abel personally owns and uses the cellular phone number xxx-xxx-1948.
 21 This number is a residential telephone subscription and is Abel's personal cell phone. It is his
 22 only phone, on which he makes all of his personal calls. On 5/5/2007, Abel registered this
 23 number on the National Do Not Call Registry. In the four years preceding 4/28/2020 (the date
 24 Abel's original Complaint was filed), GoSmith sent Abel at least 12 telemarketing text
 25 messages at this number. GoSmith knowingly and willfully sent these text messages using an
 26 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
 27 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting

procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Abel within a 12-month period after Abel was registered on the National Do Not Call Registry, including but not limited to the period between 12/27/2016 and 12/27/2017. Abel seeks an amount not less than \$18,000 for at least 12 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$18,000 for at least 12 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Abel seeks an amount not less than \$6,000 for at least 12 negligent violations of 47 U.S.C. § 227(b), and not less than \$6,000 for at least 12 negligent violations of 47 U.S.C. § 227(c).

79. Brian Abel personally owns and uses the cellular phone number xxx-xxx-8823. This number is a residential telephone subscription. In the four years preceding 4/22/2020 (the date Abel's original Complaint was filed), GoSmith sent Abel at least 12 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Abel seeks an amount not less than \$18,000 for at least 12 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$18,000 for at least 12 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Abel seeks an amount not less than \$6,000 for at least 12 negligent violations of 47 U.S.C. § 227(b), and not less than \$6,000 for at least 12 negligent violations of 47 U.S.C. § 227(c).

80. Haytham Abukhalil personally owns and uses the cellular phone number xxx-xxx-4048. This number is registered under the name of his home-based business, but Abukhalil has no other phone for personal use and makes all his personal calls with this number. In the four years preceding 4/28/2020 (the date Abukhalil's original Complaint was filed), GoSmith sent Abukhalil at least 70 telemarketing text messages at this number. GoSmith knowingly and

willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Abukhalil seeks an amount not less than \$105,000 for at least 70 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$105,000 for at least 70 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Abukhalil seeks an amount not less than \$35,000 for at least 70 negligent violations of 47 U.S.C. § 227(b), and not less than \$35,000 for at least 70 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Abukhalil at least 70 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which Abukhalil seeks an amount not less than \$35,000, attorney's fees, injunctive relief, and treble damages.

81. Omhar Acuna personally owns and uses the cellular phone number xxx-xxx-2326. This number is a residential telephone subscription. In the four years preceding 4/21/2020 (the date Acuna's original Complaint was filed), GoSmith sent Acuna at least 54 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Acuna seeks an amount not less than \$81,000 for at least 54 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$81,000 for at least 54 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Acuna seeks an amount not less than \$27,000 for at least 54 negligent violations of 47 U.S.C. § 227(b), and not less than \$27,000 for at least 54 negligent violations of 47 U.S.C. § 227(c).

82. Gabriel Adame personally owns and uses the cellular phone number xxx-xxx-5728. This number is Adame's only phone and he uses it for all his personal calls. It is a

1 residential cell phone subscription. In the four years preceding 4/27/2020 (the date Adame's
2 original Complaint was filed), GoSmith sent Adame at least 10 telemarketing text messages at
3 this number. GoSmith knowingly and willfully sent these text messages using an automatic
4 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
5 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
6 procedures that meet the minimum standards required for telemarketing in violation of 47
7 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Adame seeks an amount not less than \$15,000 for
8 at least 10 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
9 \$15,000 for at least 10 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
10 Adame seeks an amount not less than \$5,000 for at least 10 negligent violations of 47 U.S.C. §
11 227(b), and not less than \$5,000 for at least 10 negligent violations of 47 U.S.C. § 227(c).

12 83. Terry Adams personally owns and uses the cellular phone number xxx-xxx-1844.
13 This number is a residential telephone subscription. In the four years preceding 4/30/2020 (the
14 date Adams's original Complaint was filed), GoSmith sent Adams at least 13 telemarketing text
15 messages at this number. GoSmith knowingly and willfully sent these text messages using an
16 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
17 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
18 procedures that meet the minimum standards required for telemarketing in violation of 47
19 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Adams seeks an amount not less than \$19,500 for
20 at least 13 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
21 \$19,500 for at least 13 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
22 Adams seeks an amount not less than \$6,500 for at least 13 negligent violations of 47 U.S.C. §
23 227(b), and not less than \$6,500 for at least 13 negligent violations of 47 U.S.C. § 227(c).

24 84. Steven Adickes personally owns and uses the cellular phone number xxx-xxx-
25 5872. This number is Adickes's only phone. He does take business calls on his cellphone for
26 his home-based business and lists this number on his website and business cards, but it is the
27 only phone he uses to talk to family and friends. He mostly pays for it out of his personal bank

1 account, although his business pays for a portion of the monthly bill. Adickes keeps this phone
 2 in his residence or on his person and charges it by his bed every night. This number is a
 3 residential telephone subscription. On 06/30/2003, Adickes registered this number on the
 4 National Do Not Call Registry. In the four years preceding 01/30/2020 (the date Adickes's
 5 original Complaint was filed), GoSmith sent Adickes 2 to 3 telemarketing text messages per
 6 week at this number. GoSmith knowingly and willfully sent these text messages using an
 7 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii). GoSmith
 8 knowingly and willfully sent these text messages without instituting procedures that meet the
 9 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
 10 § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith
 11 knowingly and willfully sent at least 2 text messages to Adickes within a 12-month period after
 12 Adickes was registered on the National Do Not Call Registry, including but not limited to the
 13 period between 02/14/2017 and 02/14/2018. Adickes seeks an amount not less than \$465,000
 14 for at least 310 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less
 15 than \$465,000 for at least 310 knowing and willful violations of 47 U.S.C. § 227(c).
 16 Alternatively, Adickes seeks an amount not less than \$155,000 for at least 310 negligent
 17 violations of 47 U.S.C. § 227(b), and \$155,000 for at least 310 negligent violations of 47
 18 U.S.C. § 227(c).

19 85. Sandra Aguilar personally owns and uses the cellular phone number xxx-xxx-
 20 6052. This number is a residential telephone subscription. In the four years preceding
 21 4/22/2020 (the date Aguilar's original Complaint was filed), GoSmith sent Aguilar at least 659
 22 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
 23 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
 24 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
 25 text messages without instituting procedures that meet the minimum standards required for
 26 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Aguilar seeks an
 27 amount not less than \$988,500 for at least 659 knowing and willful violations of 47 U.S.C. §

227(b), and an amount not less than \$988,500 for at least 659 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Aguilar seeks an amount not less than \$329,500 for at least 659 negligent violations of 47 U.S.C. § 227(b), and not less than \$329,500 for at least 659 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Aguilar at least 659 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which Aguilar seeks an amount not less than \$329,500, attorney's fees, injunctive relief, and treble damages.

86. Oscar Alfaro personally owns and uses the cellular phone number xxx-xxx-8465. This number is a residential telephone subscription. This is Alfaro's only number, and he uses the cell phone for both home and business purposes. Alfaro received more than one text from GoSmith on a daily basis for some time, which stopped when he filed this suit, which caused him frustration and annoyance trying to deal with the spam. In the four years preceding 4/28/2020 (the date Alfaro's original Complaint was filed), GoSmith sent Alfaro at least 109 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Alfaro seeks an amount not less than \$163,500 for at least 109 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$163,500 for at least 109 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Alfaro seeks an amount not less than \$54,500 for at least 109 negligent violations of 47 U.S.C. § 227(b), and not less than \$54,500 for at least 109 negligent violations of 47 U.S.C. § 227(c).

87. Bashkim Alka personally owns and uses the cellular phone number xxx-xxx-4166. This number is a residential telephone subscription and is Alka's personal cellphone. He uses this number to make his personal calls to family and friends. On 9/3/2008, Alka registered

1 this number on the National Do Not Call Registry. In the four years preceding 4/29/2020 (the
2 date Alka's original Complaint was filed), GoSmith sent Alka at least 5 telemarketing text
3 messages at this number. GoSmith knowingly and willfully sent these text messages using an
4 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
5 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
6 procedures that meet the minimum standards required for telemarketing in violation of 47
7 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
8 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Alka
9 within a 12-month period after Alka was registered on the National Do Not Call Registry,
10 including but not limited to the period between 12/11/2016 and 9/15/2017. Alka seeks an
11 amount not less than \$7,500 for at least 5 knowing and willful violations of 47 U.S.C. § 227(b),
12 and an amount not less than \$7,500 for at least 5 knowing and willful violations of 47 U.S.C. §
13 227(c). Alternatively, Alka seeks an amount not less than \$2,500 for at least 5 negligent
14 violations of 47 U.S.C. § 227(b), and not less than \$2,500 for at least 5 negligent violations of
15 47 U.S.C. § 227(c).

16 88. Jeffrey Allen personally owns and uses the cellular phone number xxx-xxx-6224.
17 This number is a residential telephone subscription. In the four years preceding 4/30/2020 (the
18 date Allen's original Complaint was filed), GoSmith sent Allen at least 25 telemarketing text
19 messages at this number. GoSmith knowingly and willfully sent these text messages using an
20 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
21 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
22 procedures that meet the minimum standards required for telemarketing in violation of 47
23 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Allen seeks an amount not less than \$37,500 for
24 at least 25 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
25 \$37,500 for at least 25 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
26 Allen seeks an amount not less than \$12,500 for at least 25 negligent violations of 47 U.S.C. §
27 227(b), and not less than \$12,500 for at least 25 negligent violations of 47 U.S.C. § 227(c).

89. Chelena Allen personally owns and uses the cellular phone number xxx-xxx-9608. This number is a residential telephone subscription. On 04/07/2005, Allen registered this number on the National Do Not Call Registry. In the four years preceding 01/30/2020 (the date Allen's original Complaint was filed), GoSmith sent Allen at least 2 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Allen within a 12-month period after Allen was registered on the National Do Not Call Registry, including but not limited to the period between 05/12/2017 and 05/12/2018. Allen seeks an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Allen seeks an amount not less than \$1,000 for at least 2 negligent violations of 47 U.S.C. § 227(b), and \$1,000 for at least 2 negligent violations of 47 U.S.C. § 227(c).

90. Cyril Allen personally owns and uses the cellular phone number xxx-xxx-2364. This number is a residential telephone subscription. In the four years preceding 4/28/2020 (the date Allen's original Complaint was filed), GoSmith sent Allen at least 2 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Allen seeks an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Allen

1 seeks an amount not less than \$1,000 for at least 2 negligent violations of 47 U.S.C. § 227(b),
2 and not less than \$1,000 for at least 2 negligent violations of 47 U.S.C. § 227(c).

3 91. Robert Allen personally owns and uses the cellular phone number xxx-xxx-4015.
4 This number is a residential telephone subscription which Allen uses for both home and
5 business use in his home-based business. It is his only cell phone. In the four years preceding
6 4/22/2020 (the date Allen's original Complaint was filed), GoSmith sent Allen between 3 and 4
7 telemarketing text messages each week at this number, which Allen says, "drove me crazy."
8 GoSmith knowingly and willfully sent these text messages using an automatic telephone
9 dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7).
10 GoSmith knowingly and willfully sent these text messages without instituting procedures that
11 meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and
12 47 C.F.R. § 64.1200(d). Allen seeks an amount not less than \$225,000 for at least 150 knowing
13 and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$225,000 for at least
14 150 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Allen seeks an
15 amount not less than \$75,000 for at least 150 negligent violations of 47 U.S.C. § 227(b), and
16 not less than \$75,000 for at least 150 negligent violations of 47 U.S.C. § 227(c).

17 92. Mike Allred personally owns and uses the cellular phone number xxx-xxx-4858.
18 This number is a residential telephone subscription, and this is Allred's only phone. He makes
19 all personal calls from this number and has a separate number for his business which is a
20 landline that has an answering service. Allred does occasionally return after hours and
21 emergency business calls from his personal cell phone, which is paid for by his business, but
22 makes no personal calls from the business landline and conducts all his personal
23 communication with the cell phone ending in -4858. He keeps the phone by his bed at night
24 and charges it on his nightstand. In the four years preceding 4/22/2020 (the date Allred's
25 original Complaint was filed), GoSmith sent Allred at least 139 telemarketing text messages at
26 this number, at the rate of at least 2 per day for several months. Allred was so irritated with
27 GoSmith's constant harassment that he asked his phone carrier to block the caller. The carrier

said to opt out of the texts if the option was offered, but GoSmith did not offer Allred that option. Allred did not purchase anything from GoSmith or give GoSmith permission to contact him. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Allred seeks an amount not less than \$208,500 for at least 139 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$208,500 for at least 139 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Allred seeks an amount not less than \$69,500 for at least 139 negligent violations of 47 U.S.C. § 227(b), and not less than \$69,500 for at least 139 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Allred at least 139 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which Allred seeks an amount not less than \$69,500, attorney's fees, injunctive relief, and treble damages.

93. John Almendarez personally owns and uses the cellular phone number xxx-xxx-1850. This number is a residential telephone subscription. In the four years preceding 1/30/2020 (the date Almendarez's original Complaint was filed), GoSmith sent Almendarez at least 7 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Almendarez seeks an amount not less than \$10,500 for at least 7 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$10,500 for at least 7 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Almendarez seeks an amount not less than

1 \$3,500 for at least 7 negligent violations of 47 U.S.C. § 227(b), and not less than \$3,500 for at
2 least 7 negligent violations of 47 U.S.C. § 227(c).

3 94. Gloria H. Alvarez Salazar personally owns and uses the cellular phone number
4 xxx-xxx-0843. This number is a residential telephone subscription. On 6/6/2013, Alvarez
5 Salazar registered this number on the National Do Not Call Registry. In the four years
6 preceding 1/30/2020 (the date Alvarez Salazar's original Complaint was filed), GoSmith sent
7 Alvarez Salazar at least 3 telemarketing text messages at this number. GoSmith knowingly and
8 willfully sent these text messages using an automatic telephone dialing system in violation of
9 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully
10 sent these text messages without instituting procedures that meet the minimum standards
11 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also
12 in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and
13 willfully sent at least 2 text messages to Alvarez Salazar within a 12-month period after
14 Alvarez Salazar was registered on the National Do Not Call Registry, including but not limited
15 to the period between 5/7/2016 and 5/7/2017. Alvarez Salazar seeks an amount not less than
16 \$4,500 for at least 3 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not
17 less than \$4,500 for at least 3 knowing and willful violations of 47 U.S.C. § 227(c).
18 Alternatively, Alvarez Salazar seeks an amount not less than \$1,500 for at least 3 negligent
19 violations of 47 U.S.C. § 227(b), and not less than \$1,500 for at least 3 negligent violations of
20 47 U.S.C. § 227(c).

21 95. Dave Anderson personally owns and uses the cellular phone number xxx-xxx-
22 4710. This number is a residential telephone subscription. In the four years preceding
23 1/30/2020 (the date Anderson's original Complaint was filed), GoSmith sent Anderson at least
24 122 telemarketing text messages at this number. GoSmith knowingly and willfully sent these
25 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
26 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
27 text messages without instituting procedures that meet the minimum standards required for

1 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Anderson seeks
 2 an amount not less than \$183,000 for at least 122 knowing and willful violations of 47 U.S.C. §
 3 227(b), and an amount not less than \$183,000 for at least 122 knowing and willful violations of
 4 47 U.S.C. § 227(c). Alternatively, Anderson seeks an amount not less than \$61,000 for at least
 5 122 negligent violations of 47 U.S.C. § 227(b), and not less than \$61,000 for at least 122
 6 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Anderson at least 122
 7 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an
 8 undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which
 9 Anderson seeks an amount not less than \$61,000, attorney's fees, injunctive relief, and treble
 10 damages.

11 96. Charlie Anderson personally owns and uses the cellular phone number xxx-xxx-
 12 0683. This number is a residential telephone subscription. In the four years preceding
 13 1/30/2020 (the date Anderson's original Complaint was filed), GoSmith sent Anderson at least
 14 7 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
 15 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
 16 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
 17 text messages without instituting procedures that meet the minimum standards required for
 18 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Anderson seeks
 19 an amount not less than \$10,500 for at least 7 knowing and willful violations of 47 U.S.C. §
 20 227(b), and an amount not less than \$10,500 for at least 7 knowing and willful violations of 47
 21 U.S.C. § 227(c). Alternatively, Anderson seeks an amount not less than \$3,500 for at least 7
 22 negligent violations of 47 U.S.C. § 227(b), and not less than \$3,500 for at least 7 negligent
 23 violations of 47 U.S.C. § 227(c).

24 97. Jason Anderson personally owns and uses the cellular phone number xxx-xxx-
 25 8479. This number is a residential telephone subscription that is Anderson's only phone.
 26 Anderson makes all his personal calls with this number. His business pays for his cell phone
 27 and plan as part of his benefits; however, this is Anderson's personal phone. On 1/13/2017,

Anderson registered this number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date Anderson's original Complaint was filed), GoSmith sent Anderson at least 4 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Anderson within a 12-month period after Anderson was registered on the National Do Not Call Registry, including but not limited to the period between 5/28/2017 and 7/13/2017. Anderson seeks an amount not less than \$6,000 for at least 4 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$6,000 for at least 4 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Anderson seeks an amount not less than \$2,000 for at least 4 negligent violations of 47 U.S.C. § 227(b), and not less than \$2,000 for at least 4 negligent violations of 47 U.S.C. § 227(c).

98. Scott Anderson personally owns and uses the cellular phone number xxx-xxx-9731. This number is a residential telephone subscription. In the four years preceding 4/29/2020 (the date Anderson's original Complaint was filed), GoSmith sent Anderson at least 3 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Anderson seeks an amount not less than \$4,500 for at least 3 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$4,500 for at least 3 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Anderson seeks an amount not less than \$1,500 for at least 3

1 negligent violations of 47 U.S.C. § 227(b), and not less than \$1,500 for at least 3 negligent
2 violations of 47 U.S.C. § 227(c).

3 99. Mark Anderson personally owns and uses the cellular phone number xxx-xxx-
4 4700. This number is a residential telephone subscription and is Anderson's only phone. He
5 uses this number for all his personal calls and keeps it with him at all times. He also uses this
6 number for calls relating to his home-based business. On 4/23/2008, Anderson registered this
7 number on the National Do Not Call Registry. In the four years preceding 4/28/2020 (the date
8 Anderson's original Complaint was filed), GoSmith sent Anderson at least 200 telemarketing
9 text messages at this number and also made numerous autodialed telemarketing calls to him at
10 this number. Anderson asked GoSmith to stop sending the messages, replying with "STOP" on
11 multiple occasions, but GoSmith kept contacting his cell phone at this number. GoSmith
12 knowingly and willfully sent these text messages and calls using an automatic telephone
13 dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7).
14 GoSmith knowingly and willfully sent these text messages and calls without instituting
15 procedures that meet the minimum standards required for telemarketing in violation of 47
16 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
17 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to
18 Anderson within a 12-month period after Anderson was registered on the National Do Not Call
19 Registry, including but not limited to the period between 4/28/2016 and 4/28/2017. Anderson
20 seeks an amount not less than \$300,000 for at least 200 knowing and willful violations of 47
21 U.S.C. § 227(b), and an amount not less than \$300,000 for at least 200 knowing and willful
22 violations of 47 U.S.C. § 227(c). Alternatively, Anderson seeks an amount not less than
23 \$100,000 for at least 200 negligent violations of 47 U.S.C. § 227(b), and not less than
24 \$100,000 for at least 200 negligent violations of 47 U.S.C. § 227(c).

25 100. Tommy Anderson personally owns and uses the cellular phone number xxx-xxx-
26 9911. This number is a residential telephone subscription. This is Anderson's only phone,
27 which he uses for all his personal calls and, on occasion, for business calls related to his home-

1 based business. In the four years preceding 4/28/2020 (the date Anderson's original Complaint
 2 was filed), GoSmith sent Anderson at least 531 telemarketing text messages at this number.
 3 GoSmith knowingly and willfully sent these text messages using an automatic telephone
 4 dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7).
 5 GoSmith knowingly and willfully sent these text messages without instituting procedures that
 6 meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and
 7 47 C.F.R. § 64.1200(d). Anderson seeks an amount not less than \$796,500 for at least 531
 8 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$796,500
 9 for at least 531 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Anderson
 10 seeks an amount not less than \$265,500 for at least 531 negligent violations of 47 U.S.C. §
 11 227(b), and not less than \$265,500 for at least 531 negligent violations of 47 U.S.C. § 227(c).

12 101. Leo Anderson personally owns and uses the cellular phone number xxx-xxx-
 13 5704. This number is a personal, residential telephone subscription and this is his only personal
 14 phone. In the four years preceding 4/22/2020 (the date Anderson's original Complaint was
 15 filed), GoSmith sent Anderson at least 2,649 telemarketing text messages at this number.
 16 Anderson started receiving texts from GoSmith on his personal cell phone at this number while
 17 he was working as the project manager for a commercial construction company. He got at least
 18 one text per day and sometimes as many as five telemarketing texts per day from GoSmith. He
 19 followed up with a couple of their leads and quickly realized they were not legitimate. Once he
 20 expressed interest, GoSmith started calling him to market leads to him in addition to the text
 21 messages. Anderson called and asked to be removed many times from GoSmith's list, but the
 22 calls and texts kept coming. Anderson complained to friends and family members that he could
 23 not get them to stop and how the leads they sent were made up names. GoSmith's calls and
 24 texts interrupted many meetings and work situations, and Anderson wasted a minimum of half
 25 an hour every time he tried to get them to stop. Anderson complained to his wife, children, and
 26 friends about the harassment and the invasion of his privacy. GoSmith knowingly and willfully
 27 sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C.

§ 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Anderson seeks an amount not less than \$3,973,500 for at least 2,649 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$3,973,500 for at least 2,649 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Anderson seeks an amount not less than \$1,324,500 for at least 2,649 negligent violations of 47 U.S.C. § 227(b), and not less than \$1,324,500 for at least 2,649 negligent violations of 47 U.S.C. § 227(c).

102. Chuck Anderson personally owns and uses the cellular phone number xxx-xxx-2818. This number is a residential telephone subscription. In the four years preceding 4/22/2020 (the date Anderson's original Complaint was filed), GoSmith sent Anderson at least 11 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Anderson seeks an amount not less than \$16,500 for at least 11 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$16,500 for at least 11 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Anderson seeks an amount not less than \$5,500 for at least 11 negligent violations of 47 U.S.C. § 227(b), and not less than \$5,500 for at least 11 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Anderson at least 11 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which Anderson seeks an amount not less than \$5,500, attorney's fees, injunctive relief, and treble damages.

103. Nathanael Andreozzi personally owns and uses the cellular phone number xxx-xxx-6898. Andreozzi uses this cellphone for his work. In the four years preceding 4/29/2020 (the date Andreozzi's original Complaint was filed), GoSmith sent Andreozzi at least 13

1 telemarketing text messages at this number and called him numerous times over a period of a
2 couple weeks. GoSmith knowingly and willfully sent these text messages using an automatic
3 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
4 64.1200(a)(7). Andreozzi seeks an amount not less than \$19,500 for at least 13 knowing and
5 willful violations of 47 U.S.C. § 227(b). Alternatively, Andreozzi seeks an amount not less
6 than \$6,500 for at least 13 negligent violations of 47 U.S.C. § 227(b).

7 104. Eric Andrews personally owns and uses the cellular phone number xxx-xxx-2345.
8 This number is a residential telephone subscription. In the four years preceding 1/30/2020 (the
9 date Andrews's original Complaint was filed), GoSmith sent Andrews at least 7 telemarketing
10 text messages at this number. GoSmith knowingly and willfully sent these text messages using
11 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
12 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
13 instituting procedures that meet the minimum standards required for telemarketing in violation
14 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Andrews seeks an amount not less than
15 \$10,500 for at least 7 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not
16 less than \$10,500 for at least 7 knowing and willful violations of 47 U.S.C. § 227(c).
17 Alternatively, Andrews seeks an amount not less than \$3,500 for at least 7 negligent violations
18 of 47 U.S.C. § 227(b), and not less than \$3,500 for at least 7 negligent violations of 47 U.S.C.
19 § 227(c).

20 105. Ed Andrienas personally owns and uses the cellular phone number xxx-xxx-
21 7104. This number is a residential telephone subscription and is Andrienas's only phone. He
22 uses this cell phone for all his personal calls and also in his home-based business. In the four
23 years preceding 4/28/2020 (the date Andrienas's original Complaint was filed), GoSmith sent
24 Andrienas at least 8 telemarketing text messages at this number. GoSmith knowingly and
25 willfully sent these text messages using an automatic telephone dialing system in violation of
26 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully
27 sent these text messages without instituting procedures that meet the minimum standards

1 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d).

2 Andrienas seeks an amount not less than \$12,000 for at least 8 knowing and willful violations
 3 of 47 U.S.C. § 227(b), and an amount not less than \$12,000 for at least 8 knowing and willful
 4 violations of 47 U.S.C. § 227(c). Alternatively, Andrienas seeks an amount not less than
 5 \$4,000 for at least 8 negligent violations of 47 U.S.C. § 227(b), and not less than \$4,000 for at
 6 least 8 negligent violations of 47 U.S.C. § 227(c).

7 106. Lance Annexstad personally owns and uses the cellular phone number xxx-xxx-
 8 3263. This number is a residential telephone subscription and is Annexstad's only phone. He
 9 uses this personal phone at home, making calls to his friends and family and for personal
 10 matters. He also uses the same number in his home-based business. In the four years preceding
 11 4/22/2020 (the date Annexstad's original Complaint was filed), GoSmith sent Annexstad at
 12 least 32 telemarketing text messages at this number. GoSmith knowingly and willfully sent
 13 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
 14 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
 15 text messages without instituting procedures that meet the minimum standards required for
 16 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Annexstad seeks
 17 an amount not less than \$48,000 for at least 32 knowing and willful violations of 47 U.S.C. §
 18 227(b), and an amount not less than \$48,000 for at least 32 knowing and willful violations of
 19 47 U.S.C. § 227(c). Alternatively, Annexstad seeks an amount not less than \$16,000 for at least
 20 32 negligent violations of 47 U.S.C. § 227(b), and not less than \$16,000 for at least 32
 21 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Annexstad at least 32
 22 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an
 23 undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which
 24 Annexstad seeks an amount not less than \$16,000, attorney's fees, injunctive relief, and treble
 25 damages.

26 107. Steve Antill personally owns and uses the cellular phone number xxx-xxx-2239.

27 This number is a residential telephone subscription. It is Antill's only phone. He uses this cell

1 phone for all his personal calls. He also uses it in his home-based business. In the four years
 2 preceding 4/27/2020 (the date Antill's original Complaint was filed), GoSmith sent Antill at
 3 least 69 telemarketing text messages at this number. Anthill remembers getting texts from
 4 GoSmith at odd hours and in the middle of the night. Anthill put his phone on silent at night to
 5 stop the frequent disruptions because GoSmith's texts would wake him and he would be unable
 6 to go back to sleep, causing him frustration and lost productivity. GoSmith knowingly and
 7 willfully sent these text messages using an automatic telephone dialing system in violation of
 8 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully
 9 sent these text messages without instituting procedures that meet the minimum standards
 10 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d).
 11 Antill seeks an amount not less than \$103,500 for at least 69 knowing and willful violations of
 12 47 U.S.C. § 227(b), and an amount not less than \$103,500 for at least 69 knowing and willful
 13 violations of 47 U.S.C. § 227(c). Alternatively, Antill seeks an amount not less than \$34,500
 14 for at least 69 negligent violations of 47 U.S.C. § 227(b), and not less than \$34,500 for at least
 15 69 negligent violations of 47 U.S.C. § 227(c).

16 108. Samuel Antonovich personally owns and uses the cellular phone number xxx-
 17 xxx-2081. This number is a residential telephone subscription. In the four years preceding
 18 4/28/2020 (the date Antonovich's original Complaint was filed), GoSmith sent Antonovich at
 19 least 28 telemarketing text messages at this number. GoSmith knowingly and willfully sent
 20 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
 21 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
 22 text messages without instituting procedures that meet the minimum standards required for
 23 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Antonovich seeks
 24 an amount not less than \$42,000 for at least 28 knowing and willful violations of 47 U.S.C. §
 25 227(b), and an amount not less than \$42,000 for at least 28 knowing and willful violations of
 26 47 U.S.C. § 227(c). Alternatively, Antonovich seeks an amount not less than \$14,000 for at
 27

1 least 28 negligent violations of 47 U.S.C. § 227(b), and not less than \$14,000 for at least 28
2 negligent violations of 47 U.S.C. § 227(c).

3 109. Steve Apodaca personally owns and uses the cellular phone number xxx-xxx-
4 4125. This number is a residential telephone subscription. In the four years preceding
5 1/30/2020 (the date Apodaca's original Complaint was filed), GoSmith sent Apodaca at least
6 24 telemarketing text messages at this number. GoSmith knowingly and willfully sent these
7 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
8 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
9 text messages without instituting procedures that meet the minimum standards required for
10 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Apodaca seeks an
11 amount not less than \$36,000 for at least 24 knowing and willful violations of 47 U.S.C. §
12 227(b), and an amount not less than \$36,000 for at least 24 knowing and willful violations of
13 47 U.S.C. § 227(c). Alternatively, Apodaca seeks an amount not less than \$12,000 for at least
14 24 negligent violations of 47 U.S.C. § 227(b), and not less than \$12,000 for at least 24
15 negligent violations of 47 U.S.C. § 227(c).

16 110. Lloyd Arellano personally owns and uses the cellular phone number xxx-xxx-
17 6097. This number is a residential telephone subscription. On 7/11/2006, Arellano registered
18 this number on the National Do Not Call Registry. In the four years preceding 4/21/2020 (the
19 date Arellano's original Complaint was filed), GoSmith sent Arellano at least 2 telemarketing
20 text messages at this number. GoSmith knowingly and willfully sent these text messages using
21 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
22 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
23 instituting procedures that meet the minimum standards required for telemarketing in violation
24 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and
25 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to
26 Arellano within a 12-month period after Arellano was registered on the National Do Not Call
27 Registry, including but not limited to the period between 10/28/2016 and 10/28/2017. Arellano

1 seeks an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C.
 2 § 227(b), and an amount not less than \$3,000 for at least 2 knowing and willful violations of 47
 3 U.S.C. § 227(c). Alternatively, Arellano seeks an amount not less than \$1,000 for at least 2
 4 negligent violations of 47 U.S.C. § 227(b), and not less than \$1,000 for at least 2 negligent
 5 violations of 47 U.S.C. § 227(c).

6 111. Amado Arellano personally owns and uses the cellular phone number xxx-xxx-
 7 1699. This number is a residential telephone subscription. In the four years preceding
 8 4/22/2020 (the date Arellano's original Complaint was filed), GoSmith sent Arellano at least 47
 9 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
 10 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
 11 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
 12 text messages without instituting procedures that meet the minimum standards required for
 13 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Arellano seeks an
 14 amount not less than \$70,500 for at least 47 knowing and willful violations of 47 U.S.C. §
 15 227(b), and an amount not less than \$70,500 for at least 47 knowing and willful violations of
 16 47 U.S.C. § 227(c). Alternatively, Arellano seeks an amount not less than \$23,500 for at least
 17 47 negligent violations of 47 U.S.C. § 227(b), and not less than \$23,500 for at least 47
 18 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Arellano at least 47
 19 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an
 20 undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which
 21 Arellano seeks an amount not less than \$23,500, attorney's fees, injunctive relief, and treble
 22 damages.

23 112. Nick Arfaras personally owns and uses the cellular phone number xxx-xxx-5700.
 24 This number is a residential telephone subscription. In the four years preceding 4/29/2020 (the
 25 date Arfaras's original Complaint was filed), GoSmith sent Arfaras at least 10 telemarketing
 26 text messages at this number. GoSmith knowingly and willfully sent these text messages using
 27 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47

1 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
 2 instituting procedures that meet the minimum standards required for telemarketing in violation
 3 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Arfaras seeks an amount not less than
 4 \$15,000 for at least 10 knowing and willful violations of 47 U.S.C. § 227(b), and an amount
 5 not less than \$15,000 for at least 10 knowing and willful violations of 47 U.S.C. § 227(c).
 6 Alternatively, Arfaras seeks an amount not less than \$5,000 for at least 10 negligent violations
 7 of 47 U.S.C. § 227(b), and not less than \$5,000 for at least 10 negligent violations of 47 U.S.C.
 8 § 227(c).

9 113. Andrew Armendariz personally owns and uses the cellular phone number xxx-
 10 xxx-7357. This number is a residential telephone subscription. On 4/15/2005, Armendariz
 11 registered this number on the National Do Not Call Registry. In the four years preceding
 12 4/22/2020 (the date Armendariz's original Complaint was filed), GoSmith sent Armendariz at
 13 least 27 telemarketing text messages at this number. GoSmith knowingly and willfully sent
 14 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
 15 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
 16 text messages without instituting procedures that meet the minimum standards required for
 17 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
 18 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
 19 least 2 text messages to Armendariz within a 12-month period after Armendariz was registered
 20 on the National Do Not Call Registry, including but not limited to the period between 1/3/2017
 21 and 1/3/2018. Armendariz seeks an amount not less than \$40,500 for at least 27 knowing and
 22 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$40,500 for at least 27
 23 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Armendariz seeks an
 24 amount not less than \$13,500 for at least 27 negligent violations of 47 U.S.C. § 227(b), and not
 25 less than \$13,500 for at least 27 negligent violations of 47 U.S.C. § 227(c).

26 114. William Arnold personally owns and uses the cellular phone number xxx-xxx-
 27 1244. This number is a residential telephone subscription. In the four years preceding

1 1/30/2020 (the date Arnold's original Complaint was filed), GoSmith sent Arnold at least 14
2 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
3 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
4 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
5 text messages without instituting procedures that meet the minimum standards required for
6 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Arnold seeks an
7 amount not less than \$21,000 for at least 14 knowing and willful violations of 47 U.S.C. §
8 227(b), and an amount not less than \$21,000 for at least 14 knowing and willful violations of
9 47 U.S.C. § 227(c). Alternatively, Arnold seeks an amount not less than \$7,000 for at least 14
10 negligent violations of 47 U.S.C. § 227(b), and not less than \$7,000 for at least 14 negligent
11 violations of 47 U.S.C. § 227(c).

12 115. Alexandros Arvanetes personally owns and uses the cellular phone number xxx-
13 xxx-9476. This number is a residential telephone subscription. In the four years preceding
14 4/22/2020 (the date Arvanetes's original Complaint was filed), GoSmith sent Arvanetes at least
15 31 telemarketing text messages at this number. GoSmith knowingly and willfully sent these
16 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
17 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
18 text messages without instituting procedures that meet the minimum standards required for
19 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Arvanetes seeks
20 an amount not less than \$46,500 for at least 31 knowing and willful violations of 47 U.S.C. §
21 227(b), and an amount not less than \$46,500 for at least 31 knowing and willful violations of
22 47 U.S.C. § 227(c). Alternatively, Arvanetes seeks an amount not less than \$15,500 for at least
23 31 negligent violations of 47 U.S.C. § 227(b), and not less than \$15,500 for at least 31
24 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Arvanetes at least 31
25 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an
26 undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which
27

Arvanetes seeks an amount not less than \$15,500, attorney's fees, injunctive relief, and treble damages.

116. Paul Atwater personally owns and uses the cellular phone number xxx-xxx-1357. This number is a residential telephone subscription. On 6/12/2016, Atwater registered this number on the National Do Not Call Registry. In the four years preceding 4/29/2020 (the date Atwater's original Complaint was filed), GoSmith sent Atwater at least 146 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Atwater within a 12-month period after Atwater was registered on the National Do Not Call Registry, including but not limited to the period between 10/3/2016 and 10/3/2017. Atwater seeks an amount not less than \$219,000 for at least 146 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$219,000 for at least 146 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Atwater seeks an amount not less than \$73,000 for at least 146 negligent violations of 47 U.S.C. § 227(b), and not less than \$73,000 for at least 146 negligent violations of 47 U.S.C. § 227(c).

117. Shelby Axtell personally owns and uses the cellular phone number xxx-xxx-0848. This number is a residential telephone subscription. In the four years preceding 4/22/2020 (the date Axtell's original Complaint was filed), GoSmith sent Axtell at least 45 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Axtell seeks an amount not less than \$67,500 for

1 at least 45 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
 2 \$67,500 for at least 45 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
 3 Axtell seeks an amount not less than \$22,500 for at least 45 negligent violations of 47 U.S.C. §
 4 227(b), and not less than \$22,500 for at least 45 negligent violations of 47 U.S.C. § 227(c).
 5 Finally, GoSmith sent Axtell at least 45 commercial text messages in violation of RCW §§
 6 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in
 7 violation of RCW § 80.36.390, for which Axtell seeks an amount not less than \$22,500,
 8 attorney's fees, injunctive relief, and treble damages.

9 118. Robert Babcock personally owns and uses the cellular phone number xxx-xxx-
 10 8987. This number is a residential telephone subscription. In the four years preceding
 11 4/22/2020 (the date Babcock's original Complaint was filed), GoSmith sent Babcock at least 5
 12 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
 13 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
 14 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
 15 text messages without instituting procedures that meet the minimum standards required for
 16 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Babcock seeks an
 17 amount not less than \$7,500 for at least 5 knowing and willful violations of 47 U.S.C. § 227(b),
 18 and an amount not less than \$7,500 for at least 5 knowing and willful violations of 47 U.S.C. §
 19 227(c). Alternatively, Babcock seeks an amount not less than \$2,500 for at least 5 negligent
 20 violations of 47 U.S.C. § 227(b), and not less than \$2,500 for at least 5 negligent violations of
 21 47 U.S.C. § 227(c).

22 119. Jon Bahnemann personally owns and uses the cellular phone number xxx-xxx-
 23 8343. This number is a residential telephone subscription. In the four years preceding
 24 1/30/2020 (the date Bahnemann's original Complaint was filed), GoSmith sent Bahnemann at
 25 least 63 telemarketing text messages at this number. GoSmith knowingly and willfully sent
 26 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
 27 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these

1 text messages without instituting procedures that meet the minimum standards required for
2 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Bahnemann seeks
3 an amount not less than \$94,500 for at least 63 knowing and willful violations of 47 U.S.C. §
4 227(b), and an amount not less than \$94,500 for at least 63 knowing and willful violations of
5 47 U.S.C. § 227(c). Alternatively, Bahnemann seeks an amount not less than \$31,500 for at
6 least 63 negligent violations of 47 U.S.C. § 227(b), and not less than \$31,500 for at least 63
7 negligent violations of 47 U.S.C. § 227(c).

8 120. Mike Bahr personally owns and uses the cellular phone number xxx-xxx-7363.
9 This number is a residential telephone subscription. On 12/9/2013, Bahr registered this number
10 on the National Do Not Call Registry. In the four years preceding 4/28/2020 (the date Bahr's
11 original Complaint was filed), GoSmith sent Bahr at least 7 telemarketing text messages at this
12 number. GoSmith knowingly and willfully sent these text messages using an automatic
13 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
14 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
15 procedures that meet the minimum standards required for telemarketing in violation of 47
16 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
17 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Bahr
18 within a 12-month period after Bahr was registered on the National Do Not Call Registry,
19 including but not limited to the period between 4/28/2016 and 4/28/2017. Bahr seeks an
20 amount not less than \$10,500 for at least 7 knowing and willful violations of 47 U.S.C. §
21 227(b), and an amount not less than \$10,500 for at least 7 knowing and willful violations of 47
22 U.S.C. § 227(c). Alternatively, Bahr seeks an amount not less than \$3,500 for at least 7
23 negligent violations of 47 U.S.C. § 227(b), and not less than \$3,500 for at least 7 negligent
24 violations of 47 U.S.C. § 227(c).

25 121. Carlton Baker personally owns and uses the cellular phone number xxx-xxx-4339.
26 This number is a residential telephone subscription. It is Baker's only phone and he pays for it
27 out of his personal bank account. He uses this phone exclusively in his personal calls and with

1 family and friends. In the four years preceding 01/30/2020 (the date Baker's original Complaint
 2 was filed), GoSmith sent Baker a few telemarketing text messages per week at this number.
 3 GoSmith knowingly and willfully sent these text messages using an automatic telephone
 4 dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii). GoSmith knowingly and willfully
 5 sent these text messages without instituting procedures that meet the minimum standards
 6 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d).
 7 Baker seeks an amount not less than \$360,000 for at least 240 knowing and willful violations
 8 of 47 U.S.C. § 227(b), and an amount not less than \$360,000 for at least 240 knowing and
 9 willful violations of 47 U.S.C. § 227(c). Alternatively, Baker seeks an amount not less than
 10 \$120,000 for at least 240 negligent violations of 47 U.S.C. § 227(b), and \$120,000 for at least
 11 240 negligent violations of 47 U.S.C. § 227(c).

12 122. David Baker personally owns and uses the cellular phone number xxx-xxx-1367.
 13 This number is a residential telephone subscription. This is Baker's only phone. He has a
 14 separate business number which is answered by a call center that forwards business calls to his
 15 personal cell phone so that his personal number remains private. Baker makes all his personal
 16 calls with this phone. In the four years preceding 4/22/2020 (the date Baker's original
 17 Complaint was filed), GoSmith sent Baker at least 155 telemarketing text messages at this
 18 number. GoSmith knowingly and willfully sent these text messages using an automatic
 19 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
 20 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
 21 procedures that meet the minimum standards required for telemarketing in violation of 47
 22 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Baker seeks an amount not less than \$232,500 for
 23 at least 155 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
 24 \$232,500 for at least 155 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
 25 Baker seeks an amount not less than \$77,500 for at least 155 negligent violations of 47 U.S.C.
 26 § 227(b), and not less than \$77,500 for at least 155 negligent violations of 47 U.S.C. § 227(c).

27 Finally, GoSmith sent Baker at least 155 commercial text messages in violation of RCW §§

19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which Baker seeks an amount not less than \$77,500, attorney's fees, injunctive relief, and treble damages.

123. Steven Bakko personally owns and uses the cellular phone number xxx-xxx-1032. This number is a residential telephone subscription. In the four years preceding 4/22/2020 (the date Bakko's original Complaint was filed), GoSmith sent Bakko at least 410 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Bakko seeks an amount not less than \$615,000 for at least 410 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$615,000 for at least 410 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Bakko seeks an amount not less than \$205,000 for at least 410 negligent violations of 47 U.S.C. § 227(b), and not less than \$205,000 for at least 410 negligent violations of 47 U.S.C. § 227(c).

124. John Ballard personally owns and uses the cellular phone number xxx-xxx-8442. This number is a residential telephone subscription. In the four years preceding 4/28/2020 (the date Ballard's original Complaint was filed), GoSmith sent Ballard at least 4 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Ballard seeks an amount not less than \$6,000 for at least 4 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$6,000 for at least 4 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,

1 Ballard seeks an amount not less than \$2,000 for at least 4 negligent violations of 47 U.S.C. §
 2 227(b), and not less than \$2,000 for at least 4 negligent violations of 47 U.S.C. § 227(c).

3 125. Gary Ballingham personally owns and uses the cellular phone number xxx-xxx-
 4 1426. This number is a residential telephone subscription. In the four years preceding
 5 4/22/2020 (the date Ballingham's original Complaint was filed), GoSmith sent Ballingham at
 6 least 4 telemarketing text messages at this number. GoSmith knowingly and willfully sent
 7 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
 8 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
 9 text messages without instituting procedures that meet the minimum standards required for
 10 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Ballingham seeks
 11 an amount not less than \$6,000 for at least 4 knowing and willful violations of 47 U.S.C. §
 12 227(b), and an amount not less than \$6,000 for at least 4 knowing and willful violations of 47
 13 U.S.C. § 227(c). Alternatively, Ballingham seeks an amount not less than \$2,000 for at least 4
 14 negligent violations of 47 U.S.C. § 227(b), and not less than \$2,000 for at least 4 negligent
 15 violations of 47 U.S.C. § 227(c).

16 126. Pamela Bang personally owns and uses the cellular phone number xxx-xxx-0149.
 17 This number is a residential telephone subscription. On 10/3/2015, Bang registered this number
 18 on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date Bang's
 19 original Complaint was filed), GoSmith sent Bang at least 5 telemarketing text messages at this
 20 number. GoSmith knowingly and willfully sent these text messages using an automatic
 21 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
 22 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
 23 procedures that meet the minimum standards required for telemarketing in violation of 47
 24 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
 25 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Bang
 26 within a 12-month period after Bang was registered on the National Do Not Call Registry,
 27 including but not limited to the period between 1/30/2016 and 1/29/2017. Bang seeks an

1 amount not less than \$7,500 for at least 5 knowing and willful violations of 47 U.S.C. § 227(b),
2 and an amount not less than \$7,500 for at least 5 knowing and willful violations of 47 U.S.C. §
3 227(c). Alternatively, Bang seeks an amount not less than \$2,500 for at least 5 negligent
4 violations of 47 U.S.C. § 227(b), and not less than \$2,500 for at least 5 negligent violations of
5 47 U.S.C. § 227(c).

6 127. Gabriel Barboza personally owns and uses the cellular phone number xxx-xxx-
7 6147. This number is a residential telephone subscription. In the four years preceding
8 1/30/2020 (the date Barboza's original Complaint was filed), GoSmith sent Barboza at least
9 1,579 telemarketing text messages at this number. GoSmith knowingly and willfully sent these
10 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
11 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
12 text messages without instituting procedures that meet the minimum standards required for
13 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Barboza seeks an
14 amount not less than \$2,368,500 for at least 1,579 knowing and willful violations of 47 U.S.C.
15 § 227(b), and an amount not less than \$2,368,500 for at least 1,579 knowing and willful
16 violations of 47 U.S.C. § 227(c). Alternatively, Barboza seeks an amount not less than
17 \$789,500 for at least 1,579 negligent violations of 47 U.S.C. § 227(b), and not less than
18 \$789,500 for at least 1,579 negligent violations of 47 U.S.C. § 227(c).

19 128. Mary Barker personally owns and uses the cellular phone number xxx-xxx-5673.
20 This number is a residential telephone subscription. On 12/13/2016, Barker registered this
21 number on the National Do Not Call Registry. In the four years preceding 4/28/2020 (the date
22 Barker's original Complaint was filed), GoSmith sent Barker at least 2 telemarketing text
23 messages at this number. GoSmith knowingly and willfully sent these text messages using an
24 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
25 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
26 procedures that meet the minimum standards required for telemarketing in violation of 47
27 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47

1 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Barker
2 within a 12-month period after Barker was registered on the National Do Not Call Registry,
3 including but not limited to the period between 8/18/2017 and 8/18/2018. Barker seeks an
4 amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(b),
5 and an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. §
6 227(c). Alternatively, Barker seeks an amount not less than \$1,000 for at least 2 negligent
7 violations of 47 U.S.C. § 227(b), and not less than \$1,000 for at least 2 negligent violations of
8 47 U.S.C. § 227(c).

9 129. Russ Barnes personally owns and uses the cellular phone number xxx-xxx-8122.
10 This number is a residential telephone subscription and is Mr. Barnes's only phone. He pays for
11 it out of his personal bank account and keeps it by his bed at night. Barnes uses this phone
12 exclusively when contacting friends and family. He also uses this phone with his home-based
13 business. In the four years preceding 1/30/2020 (the date Barnes's original Complaint was
14 filed), GoSmith sent Barnes at least 20 telemarketing text messages at this number. GoSmith
15 knowingly and willfully sent these text messages using an automatic telephone dialing system
16 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith
17 knowingly and willfully sent these text messages without instituting procedures that meet the
18 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
19 § 64.1200(d). Barnes seeks an amount not less than \$30,000 for at least 20 knowing and willful
20 violations of 47 U.S.C. § 227(b), and an amount not less than \$30,000 for at least 20 knowing
21 and willful violations of 47 U.S.C. § 227(c). Alternatively, Barnes seeks an amount not less
22 than \$10,000 for at least 20 negligent violations of 47 U.S.C. § 227(b), and not less than
23 \$10,000 for at least 20 negligent violations of 47 U.S.C. § 227(c).

24 130. Barbette Barnes personally owns and uses the cellular phone number xxx-xxx-
25 1357. This number is a residential telephone subscription and is Ms. Barnes's only phone. She
26 uses this phone for all her personal calls and pays for the phone plan out of her personal bank
27 account. On 10/20/2019, Barnes registered this number on the National Do Not Call Registry.

1 In the four years preceding 01/30/2020 (the date Barnes's original Complaint was filed),
 2 GoSmith sent Barnes at least 396 telemarketing text messages at this number. GoSmith
 3 knowingly and willfully sent these text messages using an automatic telephone dialing system
 4 in violation of 47 U.S.C. § 227(b)(1)(A)(iii). GoSmith knowingly and willfully sent these text
 5 messages without instituting procedures that meet the minimum standards required for
 6 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
 7 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
 8 least 2 text messages to Barnes within a 12-month period after Barnes was registered on the
 9 National Do Not Call Registry, including but not limited to the period between 10/20/2019 and
 10 01/30/2020. Barnes seeks an amount not less than \$594,000 for at least 396 knowing and
 11 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$594,000 for at least 396
 12 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Barnes seeks an amount
 13 not less than \$198,000 for at least 396 negligent violations of 47 U.S.C. § 227(b), and
 14 \$198,000 for at least 396 negligent violations of 47 U.S.C. § 227(c).

15 131. Richard Bartlett is retired. He personally owned and used the cellular phone
 16 number xxx-xxx-4816, which is a flip phone. This number is a residential telephone
 17 subscription and was Bartlett's only phone, which he pays for out of his personal bank account
 18 and which he used for all his home and personal calls. On 9/20/2005, Bartlett registered this
 19 number on the National Do Not Call Registry. In the four years preceding 4/27/2020 (the date
 20 Bartlett's original Complaint was filed), GoSmith sent Bartlett at least 780 telemarketing text
 21 messages at this number, sending texts on a daily basis. Bartlett was constantly interrupted and
 22 the calls and texts were dangerous because of the nature of Bartlett's work. He would have to
 23 open the flip phone to view the message or answer the call, without knowing whether it was
 24 GoSmith or a legitimate call, even when he was up on scaffolding or under a house on a job.
 25 Bartlett told GoSmith to stop texting him and told GoSmith he had more business than he
 26 could handle, but GoSmith kept texting Bartlett, sending him texts asking if he wanted
 27 information about "so-called possible customers in my area needing work to be done." Bartlett

1 had no interest in their leads, but GoSmith would not stop sending him texts trying to sell him
 2 their information. GoSmith knowingly and willfully sent these text messages using an
 3 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
 4 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
 5 procedures that meet the minimum standards required for telemarketing in violation of 47
 6 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
 7 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Bartlett
 8 within a 12-month period after Bartlett was registered on the National Do Not Call Registry,
 9 including but not limited to the period between 9/21/2016 and 9/21/2017. Bartlett seeks an
 10 amount not less than \$1,170,000 for at least 780 knowing and willful violations of 47 U.S.C. §
 11 227(b), and an amount not less than \$1,170,000 for at least 780 knowing and willful violations
 12 of 47 U.S.C. § 227(c). Alternatively, Bartlett seeks an amount not less than \$390,000 for at
 13 least 780 negligent violations of 47 U.S.C. § 227(b), and not less than \$390,000 for at least 780
 14 negligent violations of 47 U.S.C. § 227(c).

15 132. Jim Bartlett personally owns and uses the cellular phone number xxx-xxx-5407.
 16 This number is a residential telephone subscription. On 8/26/2009, Bartlett registered this
 17 number on the National Do Not Call Registry. In the four years preceding 4/28/2020 (the date
 18 Bartlett's original Complaint was filed), GoSmith sent Bartlett at least 46 telemarketing text
 19 messages at this number. GoSmith knowingly and willfully sent these text messages using an
 20 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
 21 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
 22 procedures that meet the minimum standards required for telemarketing in violation of 47
 23 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
 24 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Bartlett
 25 within a 12-month period after Bartlett was registered on the National Do Not Call Registry,
 26 including but not limited to the period between 5/25/2016 and 5/25/2017. Bartlett seeks an
 27 amount not less than \$69,000 for at least 46 knowing and willful violations of 47 U.S.C. §

227(b), and an amount not less than \$69,000 for at least 46 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Bartlett seeks an amount not less than \$23,000 for at least 46 negligent violations of 47 U.S.C. § 227(b), and not less than \$23,000 for at least 46 negligent violations of 47 U.S.C. § 227(c).

133. Jeffrey Basa personally owns and uses the cellular phone number xxx-xxx-0130. This number is a residential telephone subscription and is Basa's only phone. He uses it for all his personal calls and also takes calls with it for his home-based business. In the four years preceding 01/30/2020 (the date Basa's original Complaint was filed), GoSmith sent Basa at least 4 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Basa seeks an amount not less than \$6,000 for at least 4 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$6,000 for at least 4 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Basa seeks an amount not less than \$2,000 for at least 4 negligent violations of 47 U.S.C. § 227(b), and \$2,000 for at least 4 negligent violations of 47 U.S.C. § 227(c).

134. Danny Bashaw personally owns and uses the cellular phone number xxx-xxx-0650. This number is a residential telephone subscription. In the four years preceding 4/21/2020 (the date Bashaw's original Complaint was filed), GoSmith sent Bashaw at least 42 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Bashaw seeks an amount not less than \$63,000 for at least 42 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$63,000 for at least 42 knowing and willful violations of

47 U.S.C. § 227(c). Alternatively, Bashaw seeks an amount not less than \$21,000 for at least 42 negligent violations of 47 U.S.C. § 227(b), and not less than \$21,000 for at least 42 negligent violations of 47 U.S.C. § 227(c).

135. Andre Baskett personally owns and uses the cellular phone number xxx-xxx-1927. This number is a residential telephone subscription. On 7/31/2005, Baskett registered this number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date Baskett's original Complaint was filed), GoSmith sent Baskett at least 12 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Baskett within a 12-month period after Baskett was registered on the National Do Not Call Registry, including but not limited to the period between 6/17/2017 and 7/24/2017. Baskett seeks an amount not less than \$18,000 for at least 12 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$18,000 for at least 12 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Baskett seeks an amount not less than \$6,000 for at least 12 negligent violations of 47 U.S.C. § 227(b), and not less than \$6,000 for at least 12 negligent violations of 47 U.S.C. § 227(c).

136. Christopher Bass personally owns and uses the cellular phone number xxx-xxx-6693. This number is a residential telephone subscription on a personal cell phone plan with Bass's cellphone provider. Bass made all his personal calls on the phone and also occasionally took real estate calls from clients and vendors on his phone. On 6/23/2017, Bass registered this number on the National Do Not Call Registry. In the four years preceding 4/28/2020 (the date Bass's original Complaint was filed), GoSmith sent Bass at least 121 telemarketing text messages and phone calls, a minimum of 2 each week at this number, sometimes more.

1 GoSmith knowingly and willfully sent these text messages using an automatic telephone
2 dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7).
3 GoSmith knowingly and willfully sent these text messages without instituting procedures that
4 meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and
5 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c),
6 GoSmith knowingly and willfully sent at least 2 text messages to Bass within a 12-month
7 period after Bass was registered on the National Do Not Call Registry, including but not
8 limited to the period between 8/22/2017 and 8/22/2018. Bass seeks an amount not less than
9 \$181,500 for at least 121 knowing and willful violations of 47 U.S.C. § 227(b), and an amount
10 not less than \$181,500 for at least 121 knowing and willful violations of 47 U.S.C. § 227(c).
11 Alternatively, Bass seeks an amount not less than \$60,500 for at least 121 negligent violations
12 of 47 U.S.C. § 227(b), and not less than \$60,500 for at least 121 negligent violations of 47
13 U.S.C. § 227(c).

14 137. Joseph Bauschelt personally owns and uses the cellular phone number xxx-xxx-
15 1253. This number is a residential telephone subscription and is Bauschelt's only phone. It is
16 paid for by his business and he does take business calls on this phone, but it is the only phone
17 he has and he takes all of his personal calls on this phone and keeps it with him at all times,
18 charging it at night in his home. In the four years preceding 01/30/2020 (the date Bauschelt's
19 original Complaint was filed), GoSmith sent Bauschelt at least 7 telemarketing text messages
20 at this number. GoSmith knowingly and willfully sent these text messages using an automatic
21 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii). GoSmith knowingly and
22 willfully sent these text messages without instituting procedures that meet the minimum
23 standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. §
24 64.1200(d). Bauschelt seeks an amount not less than \$10,500 for at least 7 knowing and willful
25 violations of 47 U.S.C. § 227(b), and an amount not less than \$10,500 for at least 7 knowing
26 and willful violations of 47 U.S.C. § 227(c). Alternatively, Bauschelt seeks an amount not less
27

1 than \$3,500 for at least 7 negligent violations of 47 U.S.C. § 227(b), and \$3,500 for at least 7
2 negligent violations of 47 U.S.C. § 227(c)

3 138. Cesar Bautista personally owns and uses the cellular phone number xxx-xxx-
4 0705. This number is a residential telephone subscription. In the four years preceding
5 4/30/2020 (the date Bautista's original Complaint was filed), GoSmith sent Bautista at least 22
6 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
7 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
8 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
9 text messages without instituting procedures that meet the minimum standards required for
10 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Bautista seeks an
11 amount not less than \$33,000 for at least 22 knowing and willful violations of 47 U.S.C. §
12 227(b), and an amount not less than \$33,000 for at least 22 knowing and willful violations of
13 47 U.S.C. § 227(c). Alternatively, Bautista seeks an amount not less than \$11,000 for at least
14 22 negligent violations of 47 U.S.C. § 227(b), and not less than \$11,000 for at least 22
15 negligent violations of 47 U.S.C. § 227(c).

16 139. Richard Bayhan personally owns and uses the cellular phone number xxx-xxx-
17 1683. This number is a residential telephone subscription and is Bayhan's personal phone.
18 Bayhan has 2 other lines he uses in his business, and this number is his personal cellphone. In
19 the four years preceding 4/27/2020 (the date Bayhan's original Complaint was filed), GoSmith
20 sent Bayhan at least 63 telemarketing text messages at this number, at a rate of more than 2 per
21 week for many months. GoSmith knowingly and willfully sent these text messages using an
22 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
23 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
24 procedures that meet the minimum standards required for telemarketing in violation of 47
25 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Bayhan seeks an amount not less than \$94,500 for
26 at least 63 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
27 \$94,500 for at least 63 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,

Bayhan seeks an amount not less than \$31,500 for at least 63 negligent violations of 47 U.S.C. § 227(b), and not less than \$31,500 for at least 63 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Bayhan at least 63 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which Bayhan seeks an amount not less than \$31,500, attorney's fees, injunctive relief, and treble damages.

140. Maurice Beale personally owns and uses the cellular phone number xxx-xxx-0639. This number is a residential telephone subscription and is Beale's only phone. While he doesn't make many personal calls, when he does, this is the phone he uses. Beale pays for his phone service out of his personal bank account and has his phone on an individual or family plan. He uses this phone number in his home-based business. In the four years preceding 01/30/2020 (the date Beale's original Complaint was filed), GoSmith sent Beale at least 20 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Beale seeks an amount not less than \$30,000 for at least 20 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$30,000 for at least 20 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Beale seeks an amount not less than \$10,000 for at least 20 negligent violations of 47 U.S.C. § 227(b), and \$10,000 for at least 20 negligent violations of 47 U.S.C. § 227(c).

141. Travis Beard personally owns and uses the cellular phone number xxx-xxx-1803. This number is a residential telephone subscription. In the four years preceding 4/22/2020 (the date Beard's original Complaint was filed), GoSmith sent Beard at least 3 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting

1 procedures that meet the minimum standards required for telemarketing in violation of 47
 2 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Beard seeks an amount not less than \$4,500 for at
 3 least 3 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
 4 \$4,500 for at least 3 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Beard
 5 seeks an amount not less than \$1,500 for at least 3 negligent violations of 47 U.S.C. § 227(b),
 6 and not less than \$1,500 for at least 3 negligent violations of 47 U.S.C. § 227(c).

7 142. Gregory Beaty personally owns and uses the cellular phone number xxx-xxx-
 8 1117. This number is a residential telephone subscription. On 12/8/2004, Beaty registered this
 9 number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date
 10 Beaty's original Complaint was filed), GoSmith sent Beaty at least 20 telemarketing text
 11 messages at this number. GoSmith knowingly and willfully sent these text messages using an
 12 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
 13 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
 14 procedures that meet the minimum standards required for telemarketing in violation of 47
 15 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
 16 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Beaty
 17 within a 12-month period after Beaty was registered on the National Do Not Call Registry,
 18 including but not limited to the period between 4/27/2017 and 4/27/2018. Beaty seeks an
 19 amount not less than \$30,000 for at least 20 knowing and willful violations of 47 U.S.C. §
 20 227(b), and an amount not less than \$30,000 for at least 20 knowing and willful violations of
 21 47 U.S.C. § 227(c). Alternatively, Beaty seeks an amount not less than \$10,000 for at least 20
 22 negligent violations of 47 U.S.C. § 227(b), and not less than \$10,000 for at least 20 negligent
 23 violations of 47 U.S.C. § 227(c).

24 143. Alfred Becker personally owns and uses the cellular phone number xxx-xxx-
 25 0540. This number is a residential telephone subscription. This is Becker's only phone. He
 26 takes all his business calls on this phone (calls relating to his home-based business), but it is his
 27 personal cellphone and is the only phone he uses to talk to family and friends. He pays for the

1 phone plan out of a personal bank account and charges it on his nightstand by his bed every
2 night. In the four years preceding 4/22/2020 (the date Becker's original Complaint was filed),
3 GoSmith sent Becker at least 15 telemarketing text messages at this number. GoSmith
4 knowingly and willfully sent these text messages using an automatic telephone dialing system
5 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith
6 knowingly and willfully sent these text messages without instituting procedures that meet the
7 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
8 § 64.1200(d). Becker seeks an amount not less than \$22,500 for at least 15 knowing and willful
9 violations of 47 U.S.C. § 227(b), and an amount not less than \$22,500 for at least 15 knowing
10 and willful violations of 47 U.S.C. § 227(c). Alternatively, Becker seeks an amount not less
11 than \$7,500 for at least 15 negligent violations of 47 U.S.C. § 227(b), and not less than \$7,500
12 for at least 15 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Becker at least
13 15 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and
14 an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which
15 Becker seeks an amount not less than \$7,500, attorney's fees, injunctive relief, and treble
16 damages.

17 144. Matthew Beckman personally owns and uses the cellular phone number xxx-xxx-
18 0390. This number is a residential telephone subscription and is Beckman's only phone
19 number. Beckman makes all his personal calls using this phone. He does use the home office
20 tax credit which includes a portion for business use of a personal phone, but the phone is a
21 personal residential plan through Beckman's phone provider and is paid out of his personal
22 bank account. In the four years preceding 4/28/2020 (the date Beckman's original Complaint
23 was filed), GoSmith sent Beckman at least 5 telemarketing text messages at this number.
24 GoSmith knowingly and willfully sent these text messages using an automatic telephone
25 dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7).
26 GoSmith knowingly and willfully sent these text messages without instituting procedures that
27 meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and

47 C.F.R. § 64.1200(d). Beckman seeks an amount not less than \$7,500 for at least 5 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$7,500 for at least 5 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Beckman seeks an amount not less than \$2,500 for at least 5 negligent violations of 47 U.S.C. § 227(b), and not less than \$2,500 for at least 5 negligent violations of 47 U.S.C. § 227(c).

145. Kevin Beirne personally owns and uses the cellular phone number xxx-xxx-5143. This number is a residential telephone subscription and Beirne uses this cell phone most of the time, although he does have other phones and numbers for other purposes. Beirne uses this phone for his personal calls to friends and family. In the four years preceding 4/29/2020 (the date Beirne's original Complaint was filed), GoSmith sent Beirne at least 495 telemarketing text messages at this number. GoSmith sent Beirne multiple telemarketing texts daily, both to this phone and to other numbers (which were not included in this calculation - the claims here are only for the texts and calls to the phone number ending in -5143). GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Beirne seeks an amount not less than \$742,500 for at least 495 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$742,500 for at least 495 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Beirne seeks an amount not less than \$247,500 for at least 495 negligent violations of 47 U.S.C. § 227(b), and not less than \$247,500 for at least 495 negligent violations of 47 U.S.C. § 227(c).

146. Paul Bennett personally owns and uses the cellular phone number xxx-xxx-5525. This number is a residential telephone subscription and is Bennett's only phone. He uses it for all his personal calls and pays for it out of his personal bank account. He also uses it for occasional business calls. In the four years preceding 4/28/2020 (the date Bennett's original Complaint was filed), GoSmith sent Bennett at least 671 telemarketing text messages at this

1 number, often 3 or 4 texts a day for several weeks, then nothing for a week, then multiple texts
2 a day again. GoSmith knowingly and willfully sent these text messages using an automatic
3 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
4 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
5 procedures that meet the minimum standards required for telemarketing in violation of 47
6 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Bennett seeks an amount not less than \$1,006,500
7 for at least 671 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less
8 than \$1,006,500 for at least 671 knowing and willful violations of 47 U.S.C. § 227(c).
9 Alternatively, Bennett seeks an amount not less than \$335,500 for at least 671 negligent
10 violations of 47 U.S.C. § 227(b), and not less than \$335,500 for at least 671 negligent
11 violations of 47 U.S.C. § 227(c).

12 147. Alyssa Bentley personally owns and uses the cellular phone number xxx-xxx-
13 9092. This number is a residential telephone subscription and is Bentley's only phone. It is her
14 personal cellphone, and she pays for it with her personal bank account, uses it to talk to family
15 and friends, and plays games on it. She does occasionally take business calls on this phone,
16 related to her home-based business. In the four years preceding 4/22/2020 (the date Bentley's
17 original Complaint was filed), GoSmith sent Bentley at least 35 telemarketing text messages at
18 this number. After the first message in 2016, Bently replied "no thank you" but GoSmith
19 continued sending "leads" they wanted her to purchase. Bentley researched the company and
20 discovered they had very bad reviews and ratings online and would not purchase their leads.
21 She was annoyed that GoSmith was wasting her time. GoSmith knowingly and willfully sent
22 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
23 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
24 text messages without instituting procedures that meet the minimum standards required for
25 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Bentley seeks an
26 amount not less than \$52,500 for at least 35 knowing and willful violations of 47 U.S.C. §
27 227(b), and an amount not less than \$52,500 for at least 35 knowing and willful violations of

47 U.S.C. § 227(c). Alternatively, Bentley seeks an amount not less than \$17,500 for at least 35 negligent violations of 47 U.S.C. § 227(b), and not less than \$17,500 for at least 35 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Bentley at least 35 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which Bentley seeks an amount not less than \$17,500, attorney's fees, injunctive relief, and treble damages.

148. Robert Bergkessel personally owns and uses the cellular phone number xxx-xxx-0011. This number is a cellphone that Bergkessel uses primarily for business. In the four years preceding 11/18/2020 (the date Bergkessel's original Complaint was filed), GoSmith sent Bergkessel at least 376 telemarketing text messages and phone calls at this number, at a rate of almost 2 per day. GoSmith also emailed Bergkessel, attempting to solicit him by email. Bergkessel asked GoSmith several times not to contact him, but they never stopped. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Bergkessel seeks an amount not less than \$564,000 for at least 376 knowing and willful violations of 47 U.S.C. § 227(b). Alternatively, Bergkessel seeks an amount not less than \$188,000 for at least 376 negligent violations of 47 U.S.C. § 227(b).

149. Chris Beschen personally owns and uses the cellular phone number xxx-xxx-0719. This number is a residential telephone subscription. In the four years preceding 4/22/2020 (the date Beschen's original Complaint was filed), GoSmith sent Beschen at least 2 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for

1 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Beschen seeks an
2 amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(b),
3 and an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. §
4 227(c). Alternatively, Beschen seeks an amount not less than \$1,000 for at least 2 negligent
5 violations of 47 U.S.C. § 227(b), and not less than \$1,000 for at least 2 negligent violations of
6 47 U.S.C. § 227(c).

7 150. Luke Beyer personally owns and uses the cellular phone number xxx-xxx-5962.
8 This number is a residential telephone subscription and is Beyer's personal cellphone. He uses
9 it to make all his personal calls. In the four years preceding 4/24/2020 (the date Beyer's
10 original Complaint was filed), GoSmith sent Beyer at least 240 telemarketing text messages at
11 this number. GoSmith sent Beyer between one to two texts per day and called him at least
12 twice a day for about 8 months, asking Beyer to purchase their leads. Beyer experienced
13 extreme frustration and annoyance, as well as lost time and productivity as a result of
14 GoSmith's constant harassment. GoSmith knowingly and willfully sent these text messages
15 using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and
16 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
17 instituting procedures that meet the minimum standards required for telemarketing in violation
18 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Beyer seeks an amount not less than
19 \$360,000 for at least 240 knowing and willful violations of 47 U.S.C. § 227(b), and an amount
20 not less than \$360,000 for at least 240 knowing and willful violations of 47 U.S.C. § 227(c).
21 Alternatively, Beyer seeks an amount not less than \$120,000 for at least 240 negligent
22 violations of 47 U.S.C. § 227(b), and not less than \$120,000 for at least 240 negligent
23 violations of 47 U.S.C. § 227(c).

24 151. Rick Bigham personally owns and uses the cellular phone number xxx-xxx-2176.
25 This number is a residential telephone subscription. On 3/25/2015, Bigham registered this
26 number on the National Do Not Call Registry. In the four years preceding 4/28/2020 (the date
27 Bigham's original Complaint was filed), GoSmith sent Bigham at least 8 telemarketing text

1 messages at this number. GoSmith knowingly and willfully sent these text messages using an
2 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
3 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
4 procedures that meet the minimum standards required for telemarketing in violation of 47
5 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
6 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Bigam
7 within a 12-month period after Bigam was registered on the National Do Not Call Registry,
8 including but not limited to the period between 6/11/2016 and 6/11/2017. Bigam seeks an
9 amount not less than \$12,000 for at least 8 knowing and willful violations of 47 U.S.C. §
10 227(b), and an amount not less than \$12,000 for at least 8 knowing and willful violations of 47
11 U.S.C. § 227(c). Alternatively, Bigam seeks an amount not less than \$4,000 for at least 8
12 negligent violations of 47 U.S.C. § 227(b), and not less than \$4,000 for at least 8 negligent
13 violations of 47 U.S.C. § 227(c).

14 152. Robert Billings personally owns and uses the cellular phone number xxx-xxx-
15 6452. This number is a residential telephone subscription. In the four years preceding
16 4/29/2020 (the date Billings's original Complaint was filed), GoSmith sent Billings at least 45
17 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
18 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
19 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
20 text messages without instituting procedures that meet the minimum standards required for
21 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Billings seeks an
22 amount not less than \$67,500 for at least 45 knowing and willful violations of 47 U.S.C. §
23 227(b), and an amount not less than \$67,500 for at least 45 knowing and willful violations of
24 47 U.S.C. § 227(c). Alternatively, Billings seeks an amount not less than \$22,500 for at least
25 45 negligent violations of 47 U.S.C. § 227(b), and not less than \$22,500 for at least 45
26 negligent violations of 47 U.S.C. § 227(c).

1 153. Eric Billman personally owns and uses the cellular phone number xxx-xxx-9708.
2 This number is a residential telephone subscription and is Billman's personal cellphone which
3 he uses to make his personal calls. In the four years preceding 4/30/2020 (the date Billman's
4 original Complaint was filed), GoSmith sent Billman at least 61 telemarketing text messages at
5 this number. GoSmith knowingly and willfully sent these text messages using an automatic
6 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
7 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
8 procedures that meet the minimum standards required for telemarketing in violation of 47
9 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Billman seeks an amount not less than \$91,500
10 for at least 61 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less
11 than \$91,500 for at least 61 knowing and willful violations of 47 U.S.C. § 227(c).
12 Alternatively, Billman seeks an amount not less than \$30,500 for at least 61 negligent
13 violations of 47 U.S.C. § 227(b), and not less than \$30,500 for at least 61 negligent violations
14 of 47 U.S.C. § 227(c).

15 154. George Binion personally owns and uses the cellular phone number xxx-xxx-
16 6532. This number is a residential telephone subscription. In the four years preceding
17 4/27/2020 (the date Binion's original Complaint was filed), GoSmith sent Binion at least 83
18 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
19 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
20 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
21 text messages without instituting procedures that meet the minimum standards required for
22 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Binion seeks an
23 amount not less than \$124,500 for at least 83 knowing and willful violations of 47 U.S.C. §
24 227(b), and an amount not less than \$124,500 for at least 83 knowing and willful violations of
25 47 U.S.C. § 227(c). Alternatively, Binion seeks an amount not less than \$41,500 for at least 83
26 negligent violations of 47 U.S.C. § 227(b), and not less than \$41,500 for at least 83 negligent
27 violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Binion at least 83 commercial text

1 messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined
2 number of telephone solicitations in violation of RCW § 80.36.390, for which Binion seeks an
3 amount not less than \$41,500, attorney's fees, injunctive relief, and treble damages.

4 155. Jesse Bird personally owns and uses the cellular phone number xxx-xxx-7386.
5 This number is a residential telephone subscription. This is Bird's personal cell phone, which
6 he subscribes to under a personal or family plan and pays for out of his personal bank account.
7 He uses this phone, and only this phone, to talk to his family and friends. He carries it with him
8 and charges it on his nightstand by his bed at home. In the four years preceding 1/30/2020 (the
9 date Bird's original Complaint was filed), GoSmith sent Bird at least 2 telemarketing text
10 messages per a week, sometimes more. The telemarketing messages were always for
11 construction or maintenance type jobs. However, Bird is an information technology specialist,
12 and his business is Bird's PC Sales. Bird informed GoSmith that he worked in computer
13 repairs, asked why they kept contacting him, and repeatedly asked GoSmith to stop bothering
14 him and to put his number on their internal Do Not Call list. The telemarketing texts kept
15 coming. GoSmith knowingly and willfully sent these text messages using an automatic
16 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
17 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
18 procedures that meet the minimum standards required for telemarketing in violation of 47
19 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Bird seeks an amount not less than \$432,000 for
20 at least 288 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
21 \$432,000 for at least 288 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
22 Bird seeks an amount not less than \$144,000 for at least 288 negligent violations of 47 U.S.C.
23 § 227(b), and not less than \$144,000 for at least 288 negligent violations of 47 U.S.C. § 227(c).

24 156. Sam Bischof personally owns and uses the cellular phone number xxx-xxx-4764.
25 This number is a residential telephone subscription and is Bischof's personal cell phone. He
26 uses it to make all his personal calls to friends and family and also takes occasional business
27 calls related to his home-based business on this number. It is Bischof's only phone, and he pays

1 for it out of his personal bank account and charges it in his room at night. In the four years
2 preceding 4/21/2020 (the date Bischof's original Complaint was filed), GoSmith sent Bischof
3 at least 3 telemarketing text messages at this number, all in only two days. GoSmith knowingly
4 and willfully sent these text messages using an automatic telephone dialing system in violation
5 of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and
6 willfully sent these text messages without instituting procedures that meet the minimum
7 standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. §
8 64.1200(d). Bischof seeks an amount not less than \$4,500 for at least 3 knowing and willful
9 violations of 47 U.S.C. § 227(b), and an amount not less than \$4,500 for at least 3 knowing and
10 willful violations of 47 U.S.C. § 227(c). Alternatively, Bischof seeks an amount not less than
11 \$1,500 for at least 3 negligent violations of 47 U.S.C. § 227(b), and not less than \$1,500 for at
12 least 3 negligent violations of 47 U.S.C. § 227(c).

13 157. Narottam Bishop personally owns and uses the cellular phone number xxx-xxx-
14 1080. This number is a residential telephone subscription and is Bishop's only phone. It is a
15 cellphone and is the only phone he uses to talk to family and friends. He pays for it out of his
16 personal bank account and it is on an individual or family plan, not a business plan. On
17 6/2/2009, Bishop registered this number on the National Do Not Call Registry. In the four
18 years preceding 1/30/2020 (the date Bishop's original Complaint was filed), GoSmith sent
19 Bishop 4 to 5 telemarketing text messages per week at this number. GoSmith knowingly and
20 willfully sent these text messages using an automatic telephone dialing system in violation of
21 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully
22 sent these text messages without instituting procedures that meet the minimum standards
23 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also
24 in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and
25 willfully sent at least 2 text messages to Bishop within a 12-month period after Bishop was
26 registered on the National Do Not Call Registry, including but not limited to the period
27 between 1/30/2016 and 1/29/2017. Bishop seeks an amount not less than \$480,000 for at least

320 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$480,000 for at least 320 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Bishop seeks an amount not less than \$160,000 for at least 320 negligent violations of 47 U.S.C. § 227(b), and not less than \$160,000 for at least 320 negligent violations of 47 U.S.C. § 227(c).

158. Dean Blades personally owns and uses the cellular phone number xxx-xxx-8358. This number is a residential telephone subscription. On 9/2/2003, Blades registered this number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date Blades's original Complaint was filed), GoSmith sent Blades at least one telemarketing text message every two weeks at this number over at least seven weeks. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Blades within a 12-month period after Blades was registered on the National Do Not Call Registry, including but not limited to the period between 5/31/2017 and 7/19/2017. Blades seeks an amount not less than \$6,000 for at least 4 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$6,000 for at least 4 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Blades seeks an amount not less than \$2,000 for at least 4 negligent violations of 47 U.S.C. § 227(b), and not less than \$2,000 for at least 4 negligent violations of 47 U.S.C. § 227(c).

159. Ronald Blakey personally owns and uses the cellular phone number xxx-xxx-4715. This number is a residential telephone subscription and is Blake's only phone. This is the only phone he uses to contact family and friends. He pays for it out of his personal bank account and it is an individual plan, not a business plan, with his phone provider. He keeps this cellphone with him at all times and charges it on his nightstand at night. On 10/21/2008,

1 Blakey registered this number on the National Do Not Call Registry. In the four years
 2 preceding 1/30/2020 (the date Blakey's original Complaint was filed), GoSmith sent Blakey at
 3 least 12 telemarketing text messages at this number. GoSmith knowingly and willfully sent
 4 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
 5 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
 6 text messages without instituting procedures that meet the minimum standards required for
 7 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
 8 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
 9 least 2 text messages to Blakey within a 12-month period after Blakey was registered on the
 10 National Do Not Call Registry, including but not limited to the period between 5/18/2017 and
 11 11/21/2017. Blakey seeks an amount not less than \$18,000 for at least 12 knowing and willful
 12 violations of 47 U.S.C. § 227(b), and an amount not less than \$18,000 for at least 12 knowing
 13 and willful violations of 47 U.S.C. § 227(c). Alternatively, Blakey seeks an amount not less
 14 than \$6,000 for at least 12 negligent violations of 47 U.S.C. § 227(b), and not less than \$6,000
 15 for at least 12 negligent violations of 47 U.S.C. § 227(c).

16 160. Joseph Blay personally owns and uses the cellular phone number xxx-xxx-7446.
 17 This number is a residential telephone subscription and Blay uses it for both personal calls and
 18 business calls related to his home-based business. On 12/16/2004, Blay registered this number
 19 on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date Blay's
 20 original Complaint was filed), GoSmith sent Blay at least 10 telemarketing text messages at
 21 this number. GoSmith knowingly and willfully sent these text messages using an automatic
 22 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
 23 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
 24 procedures that meet the minimum standards required for telemarketing in violation of 47
 25 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
 26 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Blay
 27 within a 12-month period after Blay was registered on the National Do Not Call Registry,

1 including but not limited to the period between 5/4/2017 and 7/25/2017. Blay seeks an amount
 2 not less than \$15,000 for at least 10 knowing and willful violations of 47 U.S.C. § 227(b), and
 3 an amount not less than \$15,000 for at least 10 knowing and willful violations of 47 U.S.C. §
 4 227(c). Alternatively, Blay seeks an amount not less than \$5,000 for at least 10 negligent
 5 violations of 47 U.S.C. § 227(b), and not less than \$5,000 for at least 10 negligent violations of
 6 47 U.S.C. § 227(c).

7 161. Ryan Blekkenk personally owns and uses the cellular phone number xxx-xxx-
 8 0124. This number is a residential telephone subscription. In the four years preceding
 9 4/24/2020 (the date Blekkenk's original Complaint was filed), GoSmith sent Blekkenk at least
 10 41 telemarketing text messages at this number. GoSmith knowingly and willfully sent these
 11 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
 12 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
 13 text messages without instituting procedures that meet the minimum standards required for
 14 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Blekkenk seeks
 15 an amount not less than \$61,500 for at least 41 knowing and willful violations of 47 U.S.C. §
 16 227(b), and an amount not less than \$61,500 for at least 41 knowing and willful violations of
 17 47 U.S.C. § 227(c). Alternatively, Blekkenk seeks an amount not less than \$20,500 for at least
 18 41 negligent violations of 47 U.S.C. § 227(b), and not less than \$20,500 for at least 41
 19 negligent violations of 47 U.S.C. § 227(c).

20 162. Seth Bockholt personally owns and uses the cellular phone number xxx-xxx-
 21 9951. This number is a residential telephone subscription. On 2/8/2007, Bockholt registered
 22 this number on the National Do Not Call Registry. In the four years preceding 4/22/2020 (the
 23 date Bockholt's original Complaint was filed), GoSmith sent Bockholt at least 2 telemarketing
 24 text messages at this number. GoSmith knowingly and willfully sent these text messages using
 25 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
 26 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
 27 instituting procedures that meet the minimum standards required for telemarketing in violation

1 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and
2 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to
3 Bockholt within a 12-month period after Bockholt was registered on the National Do Not Call
4 Registry, including but not limited to the period between 4/22/2016 and 4/22/2017. Bockholt
5 seeks an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C.
6 § 227(b), and an amount not less than \$3,000 for at least 2 knowing and willful violations of 47
7 U.S.C. § 227(c). Alternatively, Bockholt seeks an amount not less than \$1,000 for at least 2
8 negligent violations of 47 U.S.C. § 227(b), and not less than \$1,000 for at least 2 negligent
9 violations of 47 U.S.C. § 227(c).

10 163. Andrew Boelman personally owns and uses the cellular phone number xxx-xxx-
11 8329. This number is a residential telephone subscription. In the four years preceding
12 1/30/2020 (the date Boelman's original Complaint was filed), GoSmith sent Boelman at least 7
13 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
14 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
15 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
16 text messages without instituting procedures that meet the minimum standards required for
17 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Boelman seeks an
18 amount not less than \$10,500 for at least 7 knowing and willful violations of 47 U.S.C. §
19 227(b), and an amount not less than \$10,500 for at least 7 knowing and willful violations of 47
20 U.S.C. § 227(c). Alternatively, Boelman seeks an amount not less than \$3,500 for at least 7
21 negligent violations of 47 U.S.C. § 227(b), and not less than \$3,500 for at least 7 negligent
22 violations of 47 U.S.C. § 227(c).

23 164. Marissa Bond personally owns and uses the cellular phone number xxx-xxx-4515.
24 This number is a residential telephone subscription. In the four years preceding 4/22/2020 (the
25 date Bond's original Complaint was filed), GoSmith sent Bond at least 7 telemarketing text
26 messages at this number. GoSmith knowingly and willfully sent these text messages using an
27 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.

§ 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Bond seeks an amount not less than \$10,500 for at least 7 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$10,500 for at least 7 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Bond seeks an amount not less than \$3,500 for at least 7 negligent violations of 47 U.S.C. § 227(b), and not less than \$3,500 for at least 7 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Bond at least 7 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which Bond seeks an amount not less than \$3,500, attorney's fees, injunctive relief, and treble damages.

165. Brian Bondi personally owns and uses the cellular phone number xxx-xxx-5253. This number is a residential telephone subscription and this is Bondi's only phone. He uses it for all his personal calls as well as business calls related to his home-based business. On 02/09/2018, Bondi registered this number on the National Do Not Call Registry. In the four years preceding 01/30/2020 (the date Bondi's original Complaint was filed), GoSmith sent Bondi at least 2 telemarketing text messages per day at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Bondi within a 12-month period after Bondi was registered on the National Do Not Call Registry, including but not limited to the period between 02/09/2018 and 02/09/2019. Bondi seeks an amount not less than \$369,000 for at least 246 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$369,000 for at least 246 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Bondi seeks an amount not less than

1 \$123,000 for at least 246 negligent violations of 47 U.S.C. § 227(b), and \$123,000 for at least
2 246 negligent violations of 47 U.S.C. § 227(c).

3 166. Brenda Booth personally owns and uses the cellular phone number xxx-xxx-2027.
4 This number is a residential telephone subscription. In the four years preceding 4/21/2020 (the
5 date Booth's original Complaint was filed), GoSmith sent Booth at least 23 telemarketing text
6 messages at this number. GoSmith knowingly and willfully sent these text messages using an
7 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
8 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
9 procedures that meet the minimum standards required for telemarketing in violation of 47
10 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Booth seeks an amount not less than \$34,500 for
11 at least 23 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
12 \$34,500 for at least 23 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
13 Booth seeks an amount not less than \$11,500 for at least 23 negligent violations of 47 U.S.C. §
14 227(b), and not less than \$11,500 for at least 23 negligent violations of 47 U.S.C. § 227(c).

15 167. Russ Borne personally owns and uses the cellular phone number xxx-xxx-6999.
16 On 2/1/2008, Borne registered this number on the National Do Not Call Registry. This number
17 now forwards to Borne's only phone, a cell phone, where he takes all calls (both personal calls
18 and calls related to his home-based business, Pyro Plus Construction). In the four years
19 preceding 4/27/2020 (the date Borne's original Complaint was filed), GoSmith sent Borne at
20 least 30 telemarketing text messages at this number. On information and belief, Borne believes
21 the actual number to be much greater, having received so many spam calls and texts from
22 GoSmith that he called it "pathetic." GoSmith knowingly and willfully sent these text messages
23 using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and
24 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
25 instituting procedures that meet the minimum standards required for telemarketing in violation
26 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and
27 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to

1 Borne within a 12-month period after Borne was registered on the National Do Not Call
 2 Registry, including but not limited to the period between 10/31/2016 and 8/4/2017. Borne
 3 seeks an amount not less than \$45,000 for at least 30 knowing and willful violations of 47
 4 U.S.C. § 227(b), and an amount not less than \$45,000 for at least 30 knowing and willful
 5 violations of 47 U.S.C. § 227(c). Alternatively, Borne seeks an amount not less than \$15,000
 6 for at least 30 negligent violations of 47 U.S.C. § 227(b), and not less than \$15,000 for at least
 7 30 negligent violations of 47 U.S.C. § 227(c).

8 168. Donovan Borntrager personally owns and uses the cellular phone number xxx-
 9 xxx-3228. This number is a residential telephone subscription and belongs to Borntrager's
 10 personal cellphone, which he carries with him 7 days a week. He pays for it out of his personal
 11 bank account and this is the only number he uses to call family and friends. It is on an
 12 individual or family plan with his cellphone service provider. In the four years preceding
 13 1/30/2020 (the date Borntrager's original Complaint was filed), GoSmith sent Borntrager at
 14 least 35 telemarketing text messages at this number. GoSmith knowingly and willfully sent
 15 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
 16 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
 17 text messages without instituting procedures that meet the minimum standards required for
 18 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Borntrager seeks
 19 an amount not less than \$52,500 for at least 35 knowing and willful violations of 47 U.S.C. §
 20 227(b), and an amount not less than \$52,500 for at least 35 knowing and willful violations of
 21 47 U.S.C. § 227(c). Alternatively, Borntrager seeks an amount not less than \$17,500 for at least
 22 35 negligent violations of 47 U.S.C. § 227(b), and not less than \$17,500 for at least 35
 23 negligent violations of 47 U.S.C. § 227(c).

24 169. Chris Bosman personally owns and uses the cellular phone number xxx-xxx-
 25 2036. This number is a residential telephone subscription. On 4/6/2012, Bosman registered this
 26 number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date
 27 Bosman's original Complaint was filed), GoSmith sent Bosman at least 4 telemarketing text

1 messages at this number. GoSmith knowingly and willfully sent these text messages using an
2 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
3 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
4 procedures that meet the minimum standards required for telemarketing in violation of 47
5 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
6 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Bosman
7 within a 12-month period after Bosman was registered on the National Do Not Call Registry,
8 including but not limited to the period between 6/12/2017 and 6/12/2018. Bosman seeks an
9 amount not less than \$6,000 for at least 4 knowing and willful violations of 47 U.S.C. § 227(b),
10 and an amount not less than \$6,000 for at least 4 knowing and willful violations of 47 U.S.C. §
11 227(c). Alternatively, Bosman seeks an amount not less than \$2,000 for at least 4 negligent
12 violations of 47 U.S.C. § 227(b), and not less than \$2,000 for at least 4 negligent violations of
13 47 U.S.C. § 227(c).

14 170. Christopher Bouthner personally owns and uses the cellular phone number xxx-
15 xxx-5227. This number is a residential telephone subscription and is Bouthner's only phone.
16 This is the only number he has and is the phone he keeps on his person at all times. It is the
17 same number he uses to make all his personal calls. He also takes business calls relating to his
18 home-based business at this number. In the four years preceding 4/21/2020 (the date
19 Bouthner's original Complaint was filed), GoSmith sent Bouthner at least 985 telemarketing
20 text messages at this number. GoSmith sent Bouthner an average of 5-6 telemarketing text
21 messages and calls each week, and sometimes sent as many as two per day. Bouthner tried to
22 return GoSmith's calls to tell them to stop contacting him, but no one ever answered his calls to
23 the same numbers from which they had called and texted him, indicating that an automatic
24 service was texting and calling him instead of someone placing manual calls or texts. In
25 addition, Bouthner replied to many of GoSmith's texts, asking them to stop texting him and
26 telling GoSmith he was not interested in their service, but the texts and calls did not stop until
27 Bouthner filed this suit, but Bouthner suffered years of irritation and annoyance. GoSmith

1 knowingly and willfully sent these text messages using an automatic telephone dialing system
2 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith
3 knowingly and willfully sent these text messages without instituting procedures that meet the
4 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
5 § 64.1200(d). Bouthner seeks an amount not less than \$1,477,500 for at least 985 knowing and
6 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$1,477,500 for at least
7 985 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Bouthner seeks an
8 amount not less than \$492,500 for at least 985 negligent violations of 47 U.S.C. § 227(b), and
9 not less than \$492,500 for at least 985 negligent violations of 47 U.S.C. § 227(c).

10 171. Gary Bowlby personally owns and uses the cellular phone number xxx-xxx-9060.
11 This number is a residential telephone subscription that is Bowlby's only phone. He uses it for
12 all his personal calls and the business calls relating to his home-based business, which he pays
13 for with both his personal and business funds. On 11/12/2004, Bowlby registered this number
14 on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date Bowlby's
15 original Complaint was filed), GoSmith sent Bowlby at least 3 telemarketing text messages at
16 this number. GoSmith knowingly and willfully sent these text messages using an automatic
17 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
18 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
19 procedures that meet the minimum standards required for telemarketing in violation of 47
20 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
21 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Bowlby
22 within a 12-month period after Bowlby was registered on the National Do Not Call Registry,
23 including but not limited to the period between 5/6/2017 and 7/21/2017. Bowlby seeks an
24 amount not less than \$4,500 for at least 3 knowing and willful violations of 47 U.S.C. § 227(b),
25 and an amount not less than \$4,500 for at least 3 knowing and willful violations of 47 U.S.C. §
26 227(c). Alternatively, Bowlby seeks an amount not less than \$1,500 for at least 3 negligent
27

1 violations of 47 U.S.C. § 227(b), and not less than \$1,500 for at least 3 negligent violations of
2 47 U.S.C. § 227(c).

3 172. James Bowlin personally owns and uses the cellular phone number xxx-xxx-5759.
4 This number is a residential telephone subscription. In the four years preceding 1/30/2020 (the
5 date Bowlin's original Complaint was filed), GoSmith sent Bowlin at least 8 telemarketing text
6 messages at this number. GoSmith knowingly and willfully sent these text messages using an
7 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
8 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
9 procedures that meet the minimum standards required for telemarketing in violation of 47
10 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Bowlin seeks an amount not less than \$12,000 for
11 at least 8 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
12 \$12,000 for at least 8 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
13 Bowlin seeks an amount not less than \$4,000 for at least 8 negligent violations of 47 U.S.C. §
14 227(b), and not less than \$4,000 for at least 8 negligent violations of 47 U.S.C. § 227(c).

15 173. Alex Boychenko personally owns and uses the cellular phone number xxx-xxx-
16 0367. This number is a residential telephone subscription. In the four years preceding
17 4/22/2020 (the date Boychenko's original Complaint was filed), GoSmith sent Boychenko at
18 least 489 telemarketing text messages at this number. GoSmith knowingly and willfully sent
19 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
20 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
21 text messages without instituting procedures that meet the minimum standards required for
22 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Boychenko seeks
23 an amount not less than \$733,500 for at least 489 knowing and willful violations of 47 U.S.C. §
24 227(b), and an amount not less than \$733,500 for at least 489 knowing and willful violations of
25 47 U.S.C. § 227(c). Alternatively, Boychenko seeks an amount not less than \$244,500 for at
26 least 489 negligent violations of 47 U.S.C. § 227(b), and not less than \$244,500 for at least 489
27 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Boychenko at least 489

1 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an
2 undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which
3 Boychenko seeks an amount not less than \$244,500, attorney's fees, injunctive relief, and
4 treble damages.

5 174. James Boyd personally owns and uses the cellular phone number xxx-xxx-5743.
6 This number is a residential telephone subscription. In the four years preceding 1/30/2020 (the
7 date Boyd's original Complaint was filed), GoSmith sent Boyd at least 519 telemarketing text
8 messages at this number. GoSmith knowingly and willfully sent these text messages using an
9 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
10 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
11 procedures that meet the minimum standards required for telemarketing in violation of 47
12 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Boyd seeks an amount not less than \$778,500 for
13 at least 519 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
14 \$778,500 for at least 519 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
15 Boyd seeks an amount not less than \$259,500 for at least 519 negligent violations of 47 U.S.C.
16 § 227(b), and not less than \$259,500 for at least 519 negligent violations of 47 U.S.C. § 227(c).

17 175. Heather Boyd personally owns and uses the cellular phone number xxx-xxx-9156.
18 This number is a residential telephone subscription that is Boyd's personal and only phone. It is
19 the phone she uses exclusively when calling friends and family and she pays for it out of her
20 personal bank account. In the four years preceding 4/28/2020 (the date Boyd's original
21 Complaint was filed), GoSmith sent Boyd at least 180 telemarketing text messages and
22 telemarketing calls at this number. GoSmith called and texted Boyd almost daily. When Boyd
23 politely asked them to stop calling, the individual who called would simply hang up on her.
24 One person called her vulgar names, which shocked Boyd greatly. Boyd tried to block the
25 numbers GoSmith's calls and texts were coming from in an attempt to stop the calls. However,
26 they would just call or text from another number. Boyd believes the numbers were "spoofed"
27 as the prefix they called or texted from was often the same as her own prefix, which made it

1 appear to be a local call when it was not. GoSmith knowingly and willfully sent these text
2 messages and made phone calls to Boyd using an automatic telephone dialing system in
3 violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly
4 and willfully sent these text messages and placed these calls to Boyd without instituting
5 procedures that meet the minimum standards required for telemarketing in violation of 47
6 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Boyd seeks an amount not less than \$270,000 for
7 at least 180 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
8 \$270,000 for at least 180 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
9 Boyd seeks an amount not less than \$90,000 for at least 180 negligent violations of 47 U.S.C. §
10 227(b), and not less than \$90,000 for at least 180 negligent violations of 47 U.S.C. § 227(c).

11 176. Ryan Boyer personally owns and uses the cellular phone number xxx-xxx-1565.
12 This number is a residential telephone subscription. In the four years preceding 1/30/2020 (the
13 date Boyer's original Complaint was filed), GoSmith sent Boyer at least 16 telemarketing text
14 messages at this number. GoSmith knowingly and willfully sent these text messages using an
15 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
16 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
17 procedures that meet the minimum standards required for telemarketing in violation of 47
18 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Boyer seeks an amount not less than \$24,000 for
19 at least 16 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
20 \$24,000 for at least 16 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
21 Boyer seeks an amount not less than \$8,000 for at least 16 negligent violations of 47 U.S.C. §
22 227(b), and not less than \$8,000 for at least 16 negligent violations of 47 U.S.C. § 227(c).

23 177. Brett Boyer personally owns and uses the cellular phone number xxx-xxx-9550.
24 This number is a residential telephone subscription. In the four years preceding 1/30/2020 (the
25 date Boyer's original Complaint was filed), GoSmith sent Boyer at least 5 telemarketing text
26 messages at this number. GoSmith knowingly and willfully sent these text messages using an
27 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.

§ 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Boyer seeks an amount not less than \$7,500 for at least 5 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$7,500 for at least 5 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Boyer seeks an amount not less than \$2,500 for at least 5 negligent violations of 47 U.S.C. § 227(b), and not less than \$2,500 for at least 5 negligent violations of 47 U.S.C. § 227(c).

178. Mark Bradley personally owns and uses the cellular phone number xxx-xxx-9368. This number is a residential telephone subscription. In the four years preceding 4/27/2020 (the date Bradley's original Complaint was filed), GoSmith sent Bradley at least 13 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Bradley seeks an amount not less than \$19,500 for at least 13 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$19,500 for at least 13 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Bradley seeks an amount not less than \$6,500 for at least 13 negligent violations of 47 U.S.C. § 227(b), and not less than \$6,500 for at least 13 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Bradley at least 13 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which Bradley seeks an amount not less than \$6,500, attorney's fees, injunctive relief, and treble damages.

179. Shawn Braley Sr. personally owns and uses the cellular phone number xxx-xxx-8278. This number is a residential telephone subscription. In the four years preceding 4/22/2020 (the date Braley Sr.'s original Complaint was filed), GoSmith sent Braley Sr. at least 38 telemarketing text messages at this number. GoSmith knowingly and willfully sent these

1 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
 2 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
 3 text messages without instituting procedures that meet the minimum standards required for
 4 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Braley Sr. seeks
 5 an amount not less than \$57,000 for at least 38 knowing and willful violations of 47 U.S.C. §
 6 227(b), and an amount not less than \$57,000 for at least 38 knowing and willful violations of
 7 47 U.S.C. § 227(c). Alternatively, Braley Sr. seeks an amount not less than \$19,000 for at least
 8 38 negligent violations of 47 U.S.C. § 227(b), and not less than \$19,000 for at least 38
 9 negligent violations of 47 U.S.C. § 227(c).

10 180. Nicole Briggs personally owns and uses the cellular phone number xxx-xxx-2799.
 11 This number is a residential telephone subscription. In the four years preceding 1/30/2020 (the
 12 date Briggs's original Complaint was filed), GoSmith sent Briggs at least 3 telemarketing text
 13 messages at this number. GoSmith knowingly and willfully sent these text messages using an
 14 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
 15 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
 16 procedures that meet the minimum standards required for telemarketing in violation of 47
 17 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Briggs seeks an amount not less than \$4,500 for at
 18 least 3 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
 19 \$4,500 for at least 3 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
 20 Briggs seeks an amount not less than \$1,500 for at least 3 negligent violations of 47 U.S.C. §
 21 227(b), and not less than \$1,500 for at least 3 negligent violations of 47 U.S.C. § 227(c).

22 181. Richard Brown personally owns and uses the cellular phone number xxx-xxx-
 23 2328. This number is a residential telephone subscription. On 1/6/2015, Brown registered this
 24 number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date
 25 Brown's original Complaint was filed), GoSmith sent Brown at least 2 telemarketing text
 26 messages at this number. GoSmith knowingly and willfully sent these text messages using an
 27 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.

§ 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Brown within a 12-month period after Brown was registered on the National Do Not Call Registry, including but not limited to the period between 6/22/2017 and 6/22/2018. Brown seeks an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Brown seeks an amount not less than \$1,000 for at least 2 negligent violations of 47 U.S.C. § 227(b), and not less than \$1,000 for at least 2 negligent violations of 47 U.S.C. § 227(c).

182. Robert Brown personally owns and uses the cellular phone number xxx-xxx-8405. This number is a residential telephone subscription and it is Brown's only phone. He takes all of his calls with this phone (including business calls for his home-based business), but it is his only phone and it is the phone he uses exclusively when talking with family and friends. He pays for it out of his personal bank account and it is on a personal or family plan with his cellphone service provider. He carries it with him daily and charges it in his room at night. In the four years preceding 1/30/2020 (the date Brown's original Complaint was filed), GoSmith sent Brown at least 14 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Brown seeks an amount not less than \$21,000 for at least 14 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$21,000 for at least 14 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Brown seeks an amount not less

1 than \$7,000 for at least 14 negligent violations of 47 U.S.C. § 227(b), and not less than \$7,000
 2 for at least 14 negligent violations of 47 U.S.C. § 227(c).

3 183. Mark Brown personally owns and uses the cellular phone number xxx-xxx-0432.
 4 This number is a residential telephone subscription that Brown registered on the National Do
 5 Not Call Registry on 2/3/2006. In the four years preceding 4/27/2020 (the date Brown's
 6 original Complaint was filed), GoSmith sent Brown at least 7 telemarketing text messages to
 7 his cellphone at this number. GoSmith knowingly and willfully sent those text messages (and
 8 others) using an automatic telephone dialing system in violation of 47 U.S.C. §
 9 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
 10 text messages without instituting procedures that meet the minimum standards required for
 11 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
 12 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
 13 least 2 text messages to Brown within a 12-month period after Brown was registered on the
 14 National Do Not Call Registry, including but not limited to the period between 7/3/2017 and
 15 7/3/2018. Brown seeks an amount not less than \$10,500 for at least 7 knowing and willful
 16 violations of 47 U.S.C. § 227(b). Alternatively, Brown seeks an amount not less than \$3,500
 17 for at least 7 negligent violations of 47 U.S.C. § 227(b). Finally, GoSmith sent Brown at least 7
 18 commercial text messages in violation of RCW 19,190.060, for which Brown seeks an amount
 19 not less than \$3,500. Finally, GoSmith sent Brown at least 7 commercial text messages in
 20 violation of RCW §§ 19.190.060, 19.86.090, and 80.36.400, for which Brown seeks an amount
 21 not less than \$3,500, attorney's fees, injunctive relief, and treble damages.

22 184. Zachary Brown personally owns and uses the cellular phone number xxx-xxx-
 23 5519. This number is a residential telephone subscription and is Brown's personal cellphone,
 24 which he uses when talking with family and friends. He keeps it with him and charges it in his
 25 home at night. He may use this cellphone to take business calls related to his home-based
 26 business, but it is his personal phone which he pays for out of his personal bank account. In the
 27 four years preceding 4/24/2020 (the date Brown's original Complaint was filed), GoSmith sent

1 Brown at least 105 telemarketing text messages and an unknown number of telemarketing calls
2 at this number, contacting Brown several times throughout each week. GoSmith knowingly
3 and willfully sent these text messages and calls using an automatic telephone dialing system in
4 violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly
5 and willfully sent these text messages and calls without instituting procedures that meet the
6 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
7 § 64.1200(d). Brown seeks an amount not less than \$157,500 for at least 105 knowing and
8 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$157,500 for at least 105
9 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Brown seeks an amount
10 not less than \$52,500 for at least 105 negligent violations of 47 U.S.C. § 227(b), and not less
11 than \$52,500 for at least 105 negligent violations of 47 U.S.C. § 227(c).

12 185. Tracy Browning personally owns and uses the cellular phone number xxx-xxx-
13 1271. This number is a residential telephone subscription. It is Browning's personal cellphone
14 and is strictly for personal use. In the four years preceding 4/27/2020 (the date Browning's
15 original Complaint was filed), GoSmith sent Browning at least 18 telemarketing text messages
16 and an unknown number of telemarketing calls to her cellphone at this number. Browning does
17 not know why GoSmith was contacting her, as she did not request the calls or texts and never
18 gave consent to be contacted by GoSmith. GoSmith knowingly and willfully sent these text
19 messages and calls using an automatic telephone dialing system in violation of 47 U.S.C. §
20 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
21 text messages and calls without instituting procedures that meet the minimum standards
22 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d).
23 Browning seeks an amount not less than \$27,000 for at least 18 knowing and willful violations
24 of 47 U.S.C. § 227(b), and an amount not less than \$27,000 for at least 18 knowing and willful
25 violations of 47 U.S.C. § 227(c). Alternatively, Browning seeks an amount not less than \$9,000
26 for at least 18 negligent violations of 47 U.S.C. § 227(b), and not less than \$9,000 for at least
27 18 negligent violations of 47 U.S.C. § 227(c).

186. Dan Brubaker personally owns and uses the cellular phone number xxx-xxx-4470. This number is Brubaker's cell phone and is used for all the calls relating to his home-based business. In the four years preceding 1/30/2020 (the date Brubaker's original Complaint was filed), GoSmith sent Brubaker at least 2 telemarketing text messages per week at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Brubaker seeks an amount not less than \$22,500 for at least 15 knowing and willful violations of 47 U.S.C. § 227(b). Alternatively, Brubaker seeks an amount not less than \$7,500 for at least 15 negligent violations of 47 U.S.C. § 227(b).

187. Sky Bruch personally owns and uses the cellular phone number xxx-xxx-1795. This number is a residential telephone subscription. On 11/9/2007, Bruch registered this number on the National Do Not Call Registry. In the four years preceding 4/22/2020 (the date Bruch's original Complaint was filed), GoSmith sent Bruch at least 12 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Bruch within a 12-month period after Bruch was registered on the National Do Not Call Registry, including but not limited to the period between 4/22/2016 and 4/22/2017. Bruch seeks an amount not less than \$18,000 for at least 12 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$18,000 for at least 12 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Bruch seeks an amount not less than \$6,000 for at least 12 negligent violations of 47 U.S.C. § 227(b), and not less than \$6,000 for at least 12 negligent

1 violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Bruch at least 12 commercial text
2 messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined
3 number of telephone solicitations in violation of RCW § 80.36.390, for which Bruch seeks an
4 amount not less than \$6,000, attorney's fees, injunctive relief, and treble damages.

5 188. William Bryant personally owns and uses the cellular phone number xxx-xxx-
6 2867. This number is a residential telephone subscription and is Bryant's only phone. He keeps
7 this phone with him at all times, charging it in his bedroom at night. Bryant pays for this
8 cellphone out of his personal bank account and this phone is on a personal or family plan with
9 his phone service provider. He uses this phone for all his personal calls. In the four years
10 preceding 1/30/2020 (the date Bryant's original Complaint was filed), GoSmith sent Bryant at
11 least 2 telemarketing text messages and an unknown number of telemarketing calls to his
12 cellphone at this number. GoSmith knowingly and willfully sent these text messages and calls
13 using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and
14 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages and calls
15 without instituting procedures that meet the minimum standards required for telemarketing in
16 violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Bryant seeks an amount not less
17 than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(b), and an amount
18 not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(c).

19 Alternatively, Bryant seeks an amount not less than \$1,000 for at least 2 negligent violations of
20 47 U.S.C. § 227(b), and not less than \$1,000 for at least 2 negligent violations of 47 U.S.C. §
21 227(c).

22 189. Eli Buchmiller personally owns and uses the cellular phone number xxx-xxx-
23 8355. This number is a residential telephone subscription. On 2/3/2009, Buchmiller registered
24 this number on the National Do Not Call Registry. In the four years preceding 4/24/2020 (the
25 date Buchmiller's original Complaint was filed), GoSmith sent Buchmiller at least 11
26 telemarketing text messages and an unknown number of telemarketing calls to Buchmiller's
27 cellphone at this number. GoSmith knowingly and willfully sent these text messages using an

1 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
2 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
3 procedures that meet the minimum standards required for telemarketing in violation of 47
4 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
5 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to
6 Buchmiller within a 12-month period after Buchmiller was registered on the National Do Not
7 Call Registry, including but not limited to the period between 3/1/2017 and 9/21/2017.
8 Buchmiller seeks an amount not less than \$16,500 for at least 11 knowing and willful
9 violations of 47 U.S.C. § 227(b), and an amount not less than \$16,500 for at least 11 knowing
10 and willful violations of 47 U.S.C. § 227(c). Alternatively, Buchmiller seeks an amount not
11 less than \$5,500 for at least 11 negligent violations of 47 U.S.C. § 227(b), and not less than
12 \$5,500 for at least 11 negligent violations of 47 U.S.C. § 227(c).

13 190. Jon Buck personally owns and uses the cellular phone number xxx-xxx-2746.
14 This number is a residential telephone subscription. This phone number is Buck's cellphone
15 number. It is his only phone and he uses it for all his personal calls to family and friends, as
16 well as in calls relating to his home-based business. In the four years preceding 4/22/2020 (the
17 date Buck's original Complaint was filed), GoSmith sent Buck at least 70 telemarketing text
18 messages and an unknown number of telemarketing calls to his cellphone at this number.
19 GoSmith called and texted Buck at least 20 times a month for several months, enough that
20 Buck found the calls harassing and "super annoying." Buck tried to get the calls and texts to
21 stop, to no avail. GoSmith would not relent, despite his repeated requests and attempts to stop
22 the texts and calls. GoSmith knowingly and willfully sent these text messages and calls using
23 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
24 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages and calls
25 without instituting procedures that meet the minimum standards required for telemarketing in
26 violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Buck seeks an amount not less
27 than \$105,000 for at least 70 knowing and willful violations of 47 U.S.C. § 227(b), and an

1 amount not less than \$105,000 for at least 70 knowing and willful violations of 47 U.S.C. §
 2 227(c). Alternatively, Buck seeks an amount not less than \$35,000 for at least 70 negligent
 3 violations of 47 U.S.C. § 227(b), and not less than \$35,000 for at least 70 negligent violations
 4 of 47 U.S.C. § 227(c).

5 191. Erik Buj personally owns and uses the cellular phone number xxx-xxx-4423. This
 6 number is a residential telephone subscription. In the four years preceding 01/30/2020 (the date
 7 Buj's original Complaint was filed), GoSmith and/or Porch sent Buj at least 1-2 telemarketing
 8 text messages per day at this number. They have continued to send Buj messages at this
 9 number even after Buj filed this suit. GoSmith and Porch knowingly and willfully sent these
 10 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
 11 227(b)(1)(A)(iii). GoSmith and Porch knowingly and willfully sent these text messages
 12 without instituting procedures that meet the minimum standards required for telemarketing in
 13 violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Buj seeks an amount not less than
 14 \$3,135,000 for at least 2,090 knowing and willful violations of 47 U.S.C. § 227(b), and an
 15 amount not less than \$3,135,000 for at least 2,090 knowing and willful violations of 47 U.S.C.
 16 § 227(c). Alternatively, Buj seeks an amount not less than \$1,045,000 for at least 2,090
 17 negligent violations of 47 U.S.C. § 227(b), and \$1,045,000 for at least 2,090 negligent
 18 violations of 47 U.S.C. § 227(c).

19 192. Austin Bundy personally owns and uses the cellular phone number xxx-xxx-7855.
 20 This number is a residential telephone subscription. In the four years preceding 1/30/2020 (the
 21 date Bundy's original Complaint was filed), GoSmith sent Bundy at least 5 telemarketing text
 22 messages at this number. GoSmith knowingly and willfully sent these text messages using an
 23 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
 24 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
 25 procedures that meet the minimum standards required for telemarketing in violation of 47
 26 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Bundy seeks an amount not less than \$7,500 for at
 27 least 5 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than

\$7,500 for at least 5 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Bundy seeks an amount not less than \$2,500 for at least 5 negligent violations of 47 U.S.C. § 227(b), and not less than \$2,500 for at least 5 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Bundy at least 5 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which Bundy seeks an amount not less than \$2,500, attorney's fees, injunctive relief, and treble damages.

193. Justin Burgo personally owns and uses the cellular phone number xxx-xxx-7582. This number is a residential telephone subscription and it is Burgo's personal cellphone. He uses this cell phone for all his personal calls and pays for it out of his personal bank account. Burgo also uses this number for calls relating to his home-based business. In the four years preceding 1/30/2020 (the date Burgo's original Complaint was filed), GoSmith sent Burgo at least 49 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Burgo seeks an amount not less than \$73,500 for at least 49 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$73,500 for at least 49 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Burgo seeks an amount not less than \$24,500 for at least 49 negligent violations of 47 U.S.C. § 227(b), and not less than \$24,500 for at least 49 negligent violations of 47 U.S.C. § 227(c).

194. James Burk personally owns and uses the cellular phone number xxx-xxx-2424. This number is a residential telephone subscription and is Burk's personal cell phone. He uses this phone for all his personal calls and charges it in his room at night. In the four years preceding 4/22/2020 (the date Burk's original Complaint was filed), GoSmith sent Burk at least 19 telemarketing text messages at this number, sending them on a fairly regular basis, multiple

times a week for months. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Burk seeks an amount not less than \$28,500 for at least 19 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$28,500 for at least 19 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Burk seeks an amount not less than \$9,500 for at least 19 negligent violations of 47 U.S.C. § 227(b), and not less than \$9,500 for at least 19 negligent violations of 47 U.S.C. § 227(c).

195. Cornell Burt personally owns and uses the cellular phone number xxx-xxx-6856. This number is a residential telephone subscription. On 6/13/2009, Burt registered this number on the National Do Not Call Registry. In the four years preceding 4/22/2020 (the date Burt's original Complaint was filed), GoSmith sent Burt at least 14 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Burt within a 12-month period after Burt was registered on the National Do Not Call Registry, including but not limited to the period between 1/5/2017 and 1/5/2018. Burt seeks an amount not less than \$21,000 for at least 14 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$21,000 for at least 14 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Burt seeks an amount not less than \$7,000 for at least 14 negligent violations of 47 U.S.C. § 227(b), and not less than \$7,000 for at least 14 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Burt at least 14 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of

1 telephone solicitations in violation of RCW § 80.36.390, for which Burt seeks an amount not
 2 less than \$7,000, attorney's fees, injunctive relief, and treble damages.

3 196. Gerald Busby personally owns and uses the cellular phone number xxx-xxx-6994.
 4 This number is a residential telephone subscription. In the four years preceding 4/27/2020 (the
 5 date Busby's original Complaint was filed), GoSmith sent Busby at least 34 telemarketing text
 6 messages at this number. GoSmith knowingly and willfully sent these text messages using an
 7 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
 8 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
 9 procedures that meet the minimum standards required for telemarketing in violation of 47
 10 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Busby seeks an amount not less than \$51,000 for
 11 at least 34 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
 12 \$51,000 for at least 34 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
 13 Busby seeks an amount not less than \$17,000 for at least 34 negligent violations of 47 U.S.C. §
 14 227(b), and not less than \$17,000 for at least 34 negligent violations of 47 U.S.C. § 227(c).

15 197. Michael Byers personally owns and uses the cellular phone number xxx-xxx-
 16 6663. This number is a residential telephone subscription. In the four years preceding
 17 4/24/2020 (the date Byers's original Complaint was filed), GoSmith sent Byers at least 49
 18 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
 19 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
 20 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
 21 text messages without instituting procedures that meet the minimum standards required for
 22 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Byers seeks an
 23 amount not less than \$73,500 for at least 49 knowing and willful violations of 47 U.S.C. §
 24 227(b), and an amount not less than \$73,500 for at least 49 knowing and willful violations of
 25 47 U.S.C. § 227(c). Alternatively, Byers seeks an amount not less than \$24,500 for at least 49
 26 negligent violations of 47 U.S.C. § 227(b), and not less than \$24,500 for at least 49 negligent
 27 violations of 47 U.S.C. § 227(c).

1 198. William Troy Cain personally owns and uses the cellular phone number xxx-xxx-
2 5566. This number is a residential telephone and is Cain's only phone. It is subscribed to a
3 family plan with his cellphone carrier, which Cain pays for out of his personal bank account,
4 and his wife and children have phones on the same family plan. In the four years preceding
5 1/30/2020 (the date Cain's original Complaint was filed), GoSmith sent Cain at least 31
6 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
7 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
8 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
9 text messages without instituting procedures that meet the minimum standards required for
10 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Cain seeks an
11 amount not less than \$46,500 for at least 31 knowing and willful violations of 47 U.S.C. §
12 227(b), and an amount not less than \$46,500 for at least 31 knowing and willful violations of
13 47 U.S.C. § 227(c). Alternatively, Cain seeks an amount not less than \$15,500 for at least 31
14 negligent violations of 47 U.S.C. § 227(b), and not less than \$15,500 for at least 31 negligent
15 violations of 47 U.S.C. § 227(c).

16 199. Jose Calderonmoller personally owns and uses the cellular phone number xxx-
17 xxx-3779. This number is a residential telephone subscription. In the four years preceding
18 4/27/2020 (the date Calderonmoller's original Complaint was filed), GoSmith sent
19 Calderonmoller at least 27 telemarketing text messages at this number. GoSmith knowingly
20 and willfully sent these text messages using an automatic telephone dialing system in violation
21 of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and
22 willfully sent these text messages without instituting procedures that meet the minimum
23 standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. §
24 64.1200(d). Calderonmoller seeks an amount not less than \$40,500 for at least 27 knowing and
25 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$40,500 for at least 27
26 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Calderonmoller seeks an
27

1 amount not less than \$13,500 for at least 27 negligent violations of 47 U.S.C. § 227(b), and not
2 less than \$13,500 for at least 27 negligent violations of 47 U.S.C. § 227(c).

3 200. Shane Call personally owns and uses the cellular phone number xxx-xxx-4642.
4 This number is a residential telephone subscription and is Call's only phone. Call uses this
5 cellphone for all his personal calls and pays for it out of his personal bank account. Call has a
6 personal or family plan with his cellphone service provider. He keeps it with him at all times
7 and charges it in his room at night. He takes calls related to his home-based business on this
8 phone as well, but it is not a business line. On 12/7/2018, Call registered this number on the
9 National Do Not Call Registry. In the four years preceding 4/22/2020 (the date Call's original
10 Complaint was filed), GoSmith sent Call at least 752 telemarketing text messages at this
11 number. GoSmith knowingly and willfully sent these text messages using an automatic
12 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
13 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
14 procedures that meet the minimum standards required for telemarketing in violation of 47
15 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
16 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Call
17 within a 12-month period after Call was registered on the National Do Not Call Registry,
18 including but not limited to the period between 12/7/2018 and 12/7/2019. Call seeks an amount
19 not less than \$1,128,000 for at least 752 knowing and willful violations of 47 U.S.C. § 227(b),
20 and an amount not less than \$1,128,000 for at least 752 knowing and willful violations of 47
21 U.S.C. § 227(c). Alternatively, Call seeks an amount not less than \$376,000 for at least 752
22 negligent violations of 47 U.S.C. § 227(b), and not less than \$376,000 for at least 752 negligent
23 violations of 47 U.S.C. § 227(c).

24 201. Allen Campbell personally owns and uses the cellular phone number xxx-xxx-
25 1699. This number is a residential telephone subscription. In the four years preceding
26 1/30/2020 (the date Campbell's original Complaint was filed), GoSmith sent Campbell at least
27 6 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text

1 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
 2 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
 3 text messages without instituting procedures that meet the minimum standards required for
 4 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Campbell seeks
 5 an amount not less than \$9,000 for at least 6 knowing and willful violations of 47 U.S.C. §
 6 227(b), and an amount not less than \$9,000 for at least 6 knowing and willful violations of 47
 7 U.S.C. § 227(c). Alternatively, Campbell seeks an amount not less than \$3,000 for at least 6
 8 negligent violations of 47 U.S.C. § 227(b), and not less than \$3,000 for at least 6 negligent
 9 violations of 47 U.S.C. § 227(c).

10 202. Michael Campbell personally owns and uses the cellular phone number xxx-xxx-
 11 5427. This number is a residential telephone subscription. In the four years preceding
 12 4/28/2020 (the date Campbell's original Complaint was filed), GoSmith sent Campbell at least
 13 2 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
 14 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
 15 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
 16 text messages without instituting procedures that meet the minimum standards required for
 17 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Campbell seeks
 18 an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. §
 19 227(b), and an amount not less than \$3,000 for at least 2 knowing and willful violations of 47
 20 U.S.C. § 227(c). Alternatively, Campbell seeks an amount not less than \$1,000 for at least 2
 21 negligent violations of 47 U.S.C. § 227(b), and not less than \$1,000 for at least 2 negligent
 22 violations of 47 U.S.C. § 227(c).

23 203. Luis Campuzano personally owns and uses the cellular phone number xxx-xxx-
 24 1117. This number is a residential telephone subscription and is Campuzano's personal cell
 25 phone. He makes all his personal calls with friends and family with this phone and has a
 26 separate phone number that he uses for his business. He does occasionally take business calls
 27 on his personal phone, but this is the phone he keeps with him at all times and charges in his

home. In the four years preceding 4/21/2020 (the date Campuzano's original Complaint was filed), GoSmith made at least 629 telemarketing calls and text messages to Campuzano at his personal cell phone at this number. Campuzano was extremely frustrated with these calls and texts, which he did not invite and did not consent to receive from GoSmith. GoSmith made between 7-10 telemarketing calls and texts to Campuzano's personal phone each week. GoSmith knowingly and willfully sent these text messages and made these calls using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages and made these calls without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Campuzano seeks an amount not less than \$943,500 for at least 629 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$943,500 for at least 629 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Campuzano seeks an amount not less than \$314,500 for at least 629 negligent violations of 47 U.S.C. § 227(b), and not less than \$314,500 for at least 629 negligent violations of 47 U.S.C. § 227(c).

204. Amiee Cannon personally owns and uses the cellular phone number xxx-xxx-4952. This number is a residential telephone subscription, which is on a personal plan with Cannon's cellphone service provider. This is her only phone, which she uses for all her personal calls. Cannon once had a home-based business, but it has been closed for many years now. In the four years preceding 4/28/2020 (the date Cannon's original Complaint was filed), GoSmith sent Cannon at least 20 telemarketing text messages and an unknown number of telemarketing calls at this number, without Cannon's permission, consent, or invitation. Cannon told GoSmith to stop calling and texting her, but GoSmith would not stop and kept annoying her. GoSmith knowingly and willfully sent these text messages and made these calls to Cannon using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages and made these calls to Cannon without instituting procedures that meet the

1 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
 2 § 64.1200(d). Cannon seeks an amount not less than \$30,000 for at least 20 knowing and
 3 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$30,000 for at least 20
 4 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Cannon seeks an amount
 5 not less than \$10,000 for at least 20 negligent violations of 47 U.S.C. § 227(b), and not less
 6 than \$10,000 for at least 20 negligent violations of 47 U.S.C. § 227(c).

7 205. Jose Cardona personally owns and uses the cellular phone number xxx-xxx-5696.
 8 This number is a residential telephone subscription. In the four years preceding 4/22/2020 (the
 9 date Cardona's original Complaint was filed), GoSmith sent Cardona at least 23 telemarketing
 10 text messages at this number. GoSmith knowingly and willfully sent these text messages using
 11 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
 12 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
 13 instituting procedures that meet the minimum standards required for telemarketing in violation
 14 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Cardona seeks an amount not less than
 15 \$34,500 for at least 23 knowing and willful violations of 47 U.S.C. § 227(b), and an amount
 16 not less than \$34,500 for at least 23 knowing and willful violations of 47 U.S.C. § 227(c).
 17 Alternatively, Cardona seeks an amount not less than \$11,500 for at least 23 negligent
 18 violations of 47 U.S.C. § 227(b), and not less than \$11,500 for at least 23 negligent violations
 19 of 47 U.S.C. § 227(c). Finally, GoSmith sent Cardona at least 23 commercial text messages in
 20 violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of
 21 telephone solicitations in violation of RCW § 80.36.390, for which Cardona seeks an amount
 22 not less than \$11,500, attorney's fees, injunctive relief, and treble damages.

23 206. Richard Keith Carlson personally owns and uses the cellular phone number xxx-
 24 xxx-4916. This number is a residential telephone subscription that is on a personal or family
 25 plan with Carlson's cellphone service provider. Carlson uses this phone for all his personal
 26 calls and carries the cellphone with him at all times. He charges it every night in his bedroom.

27 He also takes calls related to his home-based business with this phone and his business pays for

1 the service as a benefit. In the four years preceding 01/30/2020 (the date Carlson's original
2 Complaint was filed), GoSmith sent Carlson at least 25 telemarketing text messages and made
3 an unknown number of telemarketing calls to Carlson's personal cellphone at this number.
4 Upon information and belief, the actual number of calls and texts is much, much higher.
5 Carlson could not get the calls and texts from GoSmith to stop, and on 05/26/2018, Carlson
6 registered this number on the National Do Not Call Registry. GoSmith continued to call and
7 text him despite his presence on the Do Not Call Registry. GoSmith knowingly and willfully
8 sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C.
9 § 227(b)(1)(A)(iii). GoSmith knowingly and willfully sent these text messages without
10 instituting procedures that meet the minimum standards required for telemarketing in violation
11 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and
12 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to
13 Carlson within a 12-month period after Carlson was registered on the National Do Not Call
14 Registry, including but not limited to the period between 05/26/2018 and 05/26/2019. Carlson
15 seeks an amount not less than \$37,500 for at least 25 knowing and willful violations of 47
16 U.S.C. § 227(b), and an amount not less than \$37,500 for at least 25 knowing and willful
17 violations of 47 U.S.C. § 227(c). Alternatively, Carlson seeks an amount not less than \$12,500
18 for at least 25 negligent violations of 47 U.S.C. § 227(b), and \$12,500 for at least 25 negligent
19 violations of 47 U.S.C. § 227(c).

20 207. Wade Carlson personally owns and uses the cellular phone number xxx-xxx-
21 7349. This number is a residential telephone subscription and is Carlson's only phone. He does
22 take calls related to his home-based business on this number, but it is his only number and the
23 one he uses exclusively in all his personal calls. He keeps the phone with him and charges it in
24 his room at night. He pays for it out of his personal bank account. In the four years preceding
25 4/22/2020 (the date Carlson's original Complaint was filed), GoSmith sent Carlson at least 17
26 telemarketing text messages at this number. In fact, almost all the telemarketing messages were
27 received within a two-week period, and GoSmith texted Carlson two to three times a day

1 during that period, causing Carlson serious frustration, especially when he researched the
2 company and realized they sold fraudulent leads. Carlson believes he did not receive more calls
3 and texts only because he blocked every number GoSmith attempted to text him with. GoSmith
4 knowingly and willfully sent these text messages using an automatic telephone dialing system
5 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith
6 knowingly and willfully sent these text messages without instituting procedures that meet the
7 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
8 § 64.1200(d). Carlson seeks an amount not less than \$25,500 for at least 17 knowing and
9 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$25,500 for at least 17
10 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Carlson seeks an amount
11 not less than \$8,500 for at least 17 negligent violations of 47 U.S.C. § 227(b), and not less than
12 \$8,500 for at least 17 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Carlson
13 at least 17 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090,
14 80.36.400, and an undetermined number of telephone solicitations in violation of RCW §
15 80.36.390, for which Carlson seeks an amount not less than \$8,500, attorney's fees, injunctive
16 relief, and treble damages.

17 208. Mike Carpenter personally owns and uses the cellular phone number xxx-xxx-
18 6082. This number is a residential telephone subscription and, at the time of the violations,
19 belonged to Carpenter's personal cell phone, on which he made all his personal calls. In the
20 four years preceding 4/22/2020 (the date Carpenter's original Complaint was filed), GoSmith
21 sent Carpenter at least 7 telemarketing text messages and an unknown number of telemarketing
22 calls to his personal cell phone at this number (in fact, in a space of just a few months).
23 GoSmith knowingly and willfully sent these text messages and made these calls using an
24 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
25 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages and made these
26 calls without instituting procedures that meet the minimum standards required for
27 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Carpenter seeks

1 an amount not less than \$10,500 for at least 7 knowing and willful violations of 47 U.S.C. §
 2 227(b), and an amount not less than \$10,500 for at least 7 knowing and willful violations of 47
 3 U.S.C. § 227(c). Alternatively, Carpenter seeks an amount not less than \$3,500 for at least 7
 4 negligent violations of 47 U.S.C. § 227(b), and not less than \$3,500 for at least 7 negligent
 5 violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Carpenter at least 7 commercial text
 6 messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined
 7 number of telephone solicitations in violation of RCW § 80.36.390, for which Carpenter seeks
 8 an amount not less than \$3,500, attorney's fees, injunctive relief, and treble damages.

9 209. Sam Carr personally owns and uses the cellular phone number xxx-xxx-7552.
 10 This is Carr's only phone and the number is a residential telephone subscription, which Carr
 11 pays for under a personal or family plan with his cellphone service provider. He carries the
 12 phone on his person and makes all his personal calls with this number. In the four years
 13 preceding 01/30/2020 (the date Carr's original Complaint was filed), GoSmith sent Carr at least
 14 5 telemarketing text messages and an unknown number of telemarketing calls to Carr's
 15 personal cellphone at this number. GoSmith knowingly and willfully sent these text messages
 16 and made these calls using an automatic telephone dialing system in violation of 47 U.S.C. §
 17 227(b)(1)(A)(iii). GoSmith knowingly and willfully sent these text messages and made these
 18 calls without instituting procedures that meet the minimum standards required for
 19 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Carr seeks an
 20 amount not less than \$7,500 for at least 5 knowing and willful violations of 47 U.S.C. § 227(b),
 21 and an amount not less than \$7,500 for at least 5 knowing and willful violations of 47 U.S.C. §
 22 227(c). Alternatively, Carr seeks an amount not less than \$2,500 for at least 5 negligent
 23 violations of 47 U.S.C. § 227(b), and \$2,500 for at least 5 negligent violations of 47 U.S.C. §
 24 227(c).

25 210. Saul Carrasco personally owns and uses the cellular phone number xxx-xxx-0189.
 26 This number is a residential telephone subscription. On 6/30/2003, Carrasco registered this
 27 number on the National Do Not Call Registry. In the four years preceding 4/28/2020 (the date

1 Carrasco's original Complaint was filed), GoSmith sent Carrasco at least 10 telemarketing text
 2 messages at this number. GoSmith knowingly and willfully sent these text messages using an
 3 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
 4 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
 5 procedures that meet the minimum standards required for telemarketing in violation of 47
 6 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
 7 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to
 8 Carrasco within a 12-month period after Carrasco was registered on the National Do Not Call
 9 Registry, including but not limited to the period between 4/28/2016 and 4/28/2017. Carrasco
 10 seeks an amount not less than \$15,000 for at least 10 knowing and willful violations of 47
 11 U.S.C. § 227(b), and an amount not less than \$15,000 for at least 10 knowing and willful
 12 violations of 47 U.S.C. § 227(c). Alternatively, Carrasco seeks an amount not less than \$5,000
 13 for at least 10 negligent violations of 47 U.S.C. § 227(b), and not less than \$5,000 for at least
 14 10 negligent violations of 47 U.S.C. § 227(c).

15 211. Josh Carrion personally owns and uses the cellular phone number xxx-xxx-8500.
 16 This number is a residential telephone subscription. On 2/12/2019, Carrion registered this
 17 number on the National Do Not Call Registry. In the four years preceding 4/22/2020 (the date
 18 Carrion's original Complaint was filed), GoSmith sent Carrion at least 31 telemarketing text
 19 messages at this number. GoSmith knowingly and willfully sent these text messages using an
 20 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
 21 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
 22 procedures that meet the minimum standards required for telemarketing in violation of 47
 23 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
 24 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Carrion
 25 within a 12-month period after Carrion was registered on the National Do Not Call Registry,
 26 including but not limited to the period between 2/12/2019 and 1/30/2020. Carrion seeks an
 27 amount not less than \$46,500 for at least 31 knowing and willful violations of 47 U.S.C. §

227(b), and an amount not less than \$46,500 for at least 31 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Carrion seeks an amount not less than \$15,500 for at least 31 negligent violations of 47 U.S.C. § 227(b), and not less than \$15,500 for at least 31 negligent violations of 47 U.S.C. § 227(c).

212. Anthony Carty personally owns and uses the cellular phone number xxx-xxx-6946. This number is a residential telephone subscription that Carty also uses in his home-based business. In the four years preceding 4/22/2020 (the date Carty's original Complaint was filed), GoSmith sent Carty at least 200 telemarketing text messages at this number. GoSmith advertised leads that Carty discovered were fake and/or fraudulent and compared notes with other individuals he knew who also received the same texts from GoSmith. Carty was bombarded with texts from GoSmith, which often sent multiple telemarketing texts in a day for months on end. If Carty blocked the numbers GoSmith sent the text messages from, GoSmith would start texting Carty from a new number. Carty remembers receiving over 5 telemarketing text messages from GoSmith in a single day and cannot remember a day going by without receiving a text from GoSmith, despite his multiple efforts to get them to stop contacting him. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Carty seeks an amount not less than \$300,000 for at least 200 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$300,000 for at least 200 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Carty seeks an amount not less than \$100,000 for at least 200 negligent violations of 47 U.S.C. § 227(b), and not less than \$100,000 for at least 200 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Carty at least 200 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of

1 RCW § 80.36.390, for which Carty seeks an amount not less than \$100,000, attorney's fees,
2 injunctive relief, and treble damages.

3 213. Alicia Castro personally owns and uses the cellular phone number xxx-xxx-8766.
4 This number is a residential telephone subscription. In the four years preceding 4/30/2020 (the
5 date Castro's original Complaint was filed), GoSmith sent Castro at least 10 telemarketing text
6 messages at this number. GoSmith knowingly and willfully sent these text messages using an
7 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
8 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
9 procedures that meet the minimum standards required for telemarketing in violation of 47
10 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Castro seeks an amount not less than \$15,000 for
11 at least 10 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
12 \$15,000 for at least 10 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
13 Castro seeks an amount not less than \$5,000 for at least 10 negligent violations of 47 U.S.C. §
14 227(b), and not less than \$5,000 for at least 10 negligent violations of 47 U.S.C. § 227(c).

15 214. Darrick Caudill personally owns and uses the cellular phone number xxx-xxx-
16 0379. This number is a residential telephone subscription and is Caudill's only phone number.
17 He uses it for all his personal calls with family and friends and has no other phone. In the four
18 years preceding 4/22/2020 (the date Caudill's original Complaint was filed), GoSmith sent
19 Caudill at least 54 telemarketing text messages at this number. GoSmith knowingly and
20 willfully sent these text messages using an automatic telephone dialing system in violation of
21 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully
22 sent these text messages without instituting procedures that meet the minimum standards
23 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d).
24 Caudill seeks an amount not less than \$81,000 for at least 54 knowing and willful violations of
25 47 U.S.C. § 227(b), and an amount not less than \$81,000 for at least 54 knowing and willful
26 violations of 47 U.S.C. § 227(c). Alternatively, Caudill seeks an amount not less than \$27,000
27 for at least 54 negligent violations of 47 U.S.C. § 227(b), and not less than \$27,000 for at least

54 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Caudill at least 54 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which Caudill seeks an amount not less than \$27,000, attorney's fees, injunctive relief, and treble damages.

215. Joel Cerv personally owns and uses the cellular phone number xxx-xxx-1666. This number is a residential telephone subscription. On 7/18/2007, Cerv registered this number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date Cerv's original Complaint was filed), GoSmith sent Cerv at least 16 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Cerv within a 12-month period after Cerv was registered on the National Do Not Call Registry, including but not limited to the period between 5/2/2017 and 6/24/2017. Cerv seeks an amount not less than \$24,000 for at least 16 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$24,000 for at least 16 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Cerv seeks an amount not less than \$8,000 for at least 16 negligent violations of 47 U.S.C. § 227(b), and not less than \$8,000 for at least 16 negligent violations of 47 U.S.C. § 227(c).

216. Vanessa Cervantes personally owns and uses the cellular phone number xxx-xxx-5999. This number is a residential telephone subscription and is Cervantes's only phone. Cervantes uses this phone number for all her personal calls and keeps it with her at all times. On 10/23/2014, Cervantes registered this number on the National Do Not Call Registry. In the four years preceding 4/27/2020 (the date Cervantes's original Complaint was filed), GoSmith

1 sent Cervantes at least 788 telemarketing text messages to Cervantes's personal cell phone at
2 this number, texting her 4-5 times a week for years. The calls annoyed Cervantes so much that
3 she often replied 'STOP' to the texts, to no avail. The texts continued. GoSmith knowingly and
4 willfully sent these text messages using an automatic telephone dialing system in violation of
5 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully
6 sent these text messages without instituting procedures that meet the minimum standards
7 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also
8 in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and
9 willfully sent at least 2 text messages to Cervantes within a 12-month period after Cervantes
10 was registered on the National Do Not Call Registry, including but not limited to the period
11 between 4/27/2016 and 4/27/2017. Cervantes seeks an amount not less than \$1,182,000 for at
12 least 788 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
13 \$1,182,000 for at least 788 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
14 Cervantes seeks an amount not less than \$394,000 for at least 788 negligent violations of 47
15 U.S.C. § 227(b), and not less than \$394,000 for at least 788 negligent violations of 47 U.S.C. §
16 227(c). Finally, GoSmith sent Cervantes at least 788 commercial text messages in violation of
17 RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone
18 solicitations in violation of RCW § 80.36.390, for which Cervantes seeks an amount not less
19 than \$394,000, attorney's fees, injunctive relief, and treble damages.

20 217. Nikki (Nick) Chartier personally owns and uses the cellular phone number xxx-
21 xxx-0127. This number is a residential telephone subscription and is Chartier's only phone. He
22 uses it for all his personal calls and also in his home-based business. In the four years
23 preceding 4/28/2020 (the date Chartier's original Complaint was filed), GoSmith sent Chartier
24 at least 70 telemarketing text messages and an unknown number of phone calls to this personal
25 cell phone. GoSmith knowingly and willfully sent these text messages and made these calls
26 using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and
27 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages and

1 made these calls without instituting procedures that meet the minimum standards required for
2 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Chartier seeks an
3 amount not less than \$105,000 for at least 70 knowing and willful violations of 47 U.S.C. §
4 227(b), and an amount not less than \$105,000 for at least 70 knowing and willful violations of
5 47 U.S.C. § 227(c). Alternatively, Chartier seeks an amount not less than \$35,000 for at least
6 70 negligent violations of 47 U.S.C. § 227(b), and not less than \$35,000 for at least 70
7 negligent violations of 47 U.S.C. § 227(c).

8 218. Roman Chernichenko personally owns and uses the cellular phone number xxx-
9 xxx-0024. This number is a residential telephone subscription. In the four years preceding
10 4/22/2020 (the date Chernichenko's original Complaint was filed), GoSmith sent Chernichenko
11 at least 19 telemarketing text messages at this number. GoSmith knowingly and willfully sent
12 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
13 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
14 text messages without instituting procedures that meet the minimum standards required for
15 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Chernichenko
16 seeks an amount not less than \$28,500 for at least 19 knowing and willful violations of 47
17 U.S.C. § 227(b), and an amount not less than \$28,500 for at least 19 knowing and willful
18 violations of 47 U.S.C. § 227(c). Alternatively, Chernichenko seeks an amount not less than
19 \$9,500 for at least 19 negligent violations of 47 U.S.C. § 227(b), and not less than \$9,500 for at
20 least 19 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Chernichenko at
21 least 19 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400,
22 and an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for
23 which Chernichenko seeks an amount not less than \$9,500, attorney's fees, injunctive relief,
24 and treble damages.

25 219. Ted Christiansen personally owns and uses the cellular phone number xxx-xxx-
26 1390. This number is a residential telephone subscription. In the four years preceding
27 4/22/2020 (the date Christiansen's original Complaint was filed), GoSmith sent Christiansen at

1 least 517 telemarketing text messages at this number. GoSmith knowingly and willfully sent
2 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
3 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
4 text messages without instituting procedures that meet the minimum standards required for
5 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Christiansen
6 seeks an amount not less than \$775,500 for at least 517 knowing and willful violations of 47
7 U.S.C. § 227(b), and an amount not less than \$775,500 for at least 517 knowing and willful
8 violations of 47 U.S.C. § 227(c). Alternatively, Christiansen seeks an amount not less than
9 \$258,500 for at least 517 negligent violations of 47 U.S.C. § 227(b), and not less than
10 \$258,500 for at least 517 negligent violations of 47 U.S.C. § 227(c).

11 220. Mark Christopherson personally owns and uses the cellular phone number xxx-
12 xxx-7542. This number is a residential telephone subscription. On 9/24/2012, Christopherson
13 registered this number on the National Do Not Call Registry. In the four years preceding
14 1/30/2020 (the date Christopherson's original Complaint was filed), GoSmith sent
15 Christopherson at least 3 telemarketing text messages at this number. GoSmith knowingly and
16 willfully sent these text messages using an automatic telephone dialing system in violation of
17 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully
18 sent these text messages without instituting procedures that meet the minimum standards
19 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also
20 in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and
21 willfully sent at least 2 text messages to Christopherson within a 12-month period after
22 Christopherson was registered on the National Do Not Call Registry, including but not limited
23 to the period between 6/14/2017 and 6/14/2018. Christopherson seeks an amount not less than
24 \$4,500 for at least 3 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not
25 less than \$4,500 for at least 3 knowing and willful violations of 47 U.S.C. § 227(c).
26 Alternatively, Christopherson seeks an amount not less than \$1,500 for at least 3 negligent
27

1 violations of 47 U.S.C. § 227(b), and not less than \$1,500 for at least 3 negligent violations of
2 47 U.S.C. § 227(c).

3 221. Andre Ciais personally owns and uses the cellular phone number xxx-xxx-0349.
4 This number is a residential telephone subscription. On 1/28/2009, Ciais registered this number
5 on the National Do Not Call Registry. In the four years preceding 4/22/2020 (the date Ciais's
6 original Complaint was filed), GoSmith sent Ciais at least 3 telemarketing text messages at this
7 number, although, upon information and belief, the actual number is much higher. GoSmith
8 knowingly and willfully sent these text messages using an automatic telephone dialing system
9 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith
10 knowingly and willfully sent these text messages without instituting procedures that meet the
11 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
12 § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith
13 knowingly and willfully sent at least 2 text messages to Ciais within a 12-month period after
14 Ciais was registered on the National Do Not Call Registry, including but not limited to the
15 period between 5/5/2016 and 5/5/2017. Ciais seeks an amount not less than \$4,500 for at least
16 3 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$4,500 for
17 at least 3 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Ciais seeks an
18 amount not less than \$1,500 for at least 3 negligent violations of 47 U.S.C. § 227(b), and not
19 less than \$1,500 for at least 3 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent
20 Ciais at least 3 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090,
21 80.36.400, and an undetermined number of telephone solicitations in violation of RCW §
22 80.36.390, for which Ciais seeks an amount not less than \$1,500, attorney's fees, injunctive
23 relief, and treble damages.

24 222. Cesar Cifuentes personally owns and uses the cellular phone number xxx-xxx-
25 9420. This number is a residential telephone subscription. In the four years preceding
26 4/22/2020 (the date Cifuentes's original Complaint was filed), GoSmith sent Cifuentes at least
27 301 telemarketing text messages at this number. GoSmith knowingly and willfully sent these

1 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
2 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
3 text messages without instituting procedures that meet the minimum standards required for
4 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Cifuentes seeks
5 an amount not less than \$451,500 for at least 301 knowing and willful violations of 47 U.S.C. §
6 227(b), and an amount not less than \$451,500 for at least 301 knowing and willful violations of
7 47 U.S.C. § 227(c). Alternatively, Cifuentes seeks an amount not less than \$150,500 for at least
8 301 negligent violations of 47 U.S.C. § 227(b), and not less than \$150,500 for at least 301
9 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Cifuentes at least 301
10 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an
11 undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which
12 Cifuentes seeks an amount not less than \$150,500, attorney's fees, injunctive relief, and treble
13 damages.

14 223. Dino Clark personally owns and uses the cellular phone number xxx-xxx-5544.
15 This number is a residential telephone subscription. In the four years preceding 4/21/2020 (the
16 date Clark's original Complaint was filed), GoSmith sent Clark at least 138 telemarketing text
17 messages at this number. GoSmith knowingly and willfully sent these text messages using an
18 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
19 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
20 procedures that meet the minimum standards required for telemarketing in violation of 47
21 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Clark seeks an amount not less than \$207,000 for
22 at least 138 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
23 \$207,000 for at least 138 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
24 Clark seeks an amount not less than \$69,000 for at least 138 negligent violations of 47 U.S.C. §
25 227(b), and not less than \$69,000 for at least 138 negligent violations of 47 U.S.C. § 227(c).

26 224. Pamela Clark personally owns and uses the cellular phone number xxx-xxx-8456.
27 This number is a residential telephone subscription and it is Clark's only telephone number and

1 her cell phone. Clark pays for this phone out of her personal bank account and charges it on her
2 nightstand at night. She makes all her personal calls using this phone. On 2/13/2008, Clark
3 registered this number on the National Do Not Call Registry. In the four years preceding
4 4/22/2020 (the date Clark's original Complaint was filed), GoSmith sent Clark at least 7
5 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
6 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
7 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
8 text messages without instituting procedures that meet the minimum standards required for
9 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
10 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
11 least 2 text messages to Clark within a 12-month period after Clark was registered on the
12 National Do Not Call Registry, including but not limited to the period between 7/5/2017 and
13 7/5/2018. Clark seeks an amount not less than \$10,500 for at least 7 knowing and willful
14 violations of 47 U.S.C. § 227(b), and an amount not less than \$10,500 for at least 7 knowing
15 and willful violations of 47 U.S.C. § 227(c). Alternatively, Clark seeks an amount not less than
16 \$3,500 for at least 7 negligent violations of 47 U.S.C. § 227(b), and not less than \$3,500 for at
17 least 7 negligent violations of 47 U.S.C. § 227(c).

18 225. Sean Clarke personally owns and uses the cellular phone number xxx-xxx-0684.
19 This number is a residential telephone subscription and is Clarke's personal cell phone. In fact,
20 his cellphone service provider does not even offer business subscriptions. He pays for it out of
21 his own account and keeps it with him all the time. Clarke makes his personal calls to family
22 and friends with this phone and also makes calls related to his home-based business with this
23 number. On 10/26/2018, Clarke registered this number on the National Do Not Call Registry.
24 In the four years preceding 01/30/2020 (the date Clarke's original Complaint was filed),
25 GoSmith sent Clarke at least 16 telemarketing text messages at this number. Upon information
26 and belief, the actual number is much higher. Clarke received several text messages a day
27 initially, with a pause of about a week, and then renewed messages the following week. Out of

1 frustration, Clarke signed up for the Do Not Call Registry, which seemed to have no effect.
2 Clarke then began actively reporting frequent spammers (several numbers which belonged to
3 Defendants) to ftc.gov over a period of 6-8 months. The number of Defendants' violations
4 gradually declined in frequency after he did so. GoSmith knowingly and willfully sent these
5 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
6 227(b)(1)(A)(iii). GoSmith knowingly and willfully sent these text messages without
7 instituting procedures that meet the minimum standards required for telemarketing in violation
8 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and
9 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to
10 Clarke within a 12-month period after Clarke was registered on the National Do Not Call
11 Registry, including but not limited to the period between 10/26/2018 and 10/26/2019. Clarke
12 seeks an amount not less than \$24,000 for at least 16 knowing and willful violations of 47
13 U.S.C. § 227(b), and an amount not less than \$24,000 for at least 16 knowing and willful
14 violations of 47 U.S.C. § 227(c). Alternatively, Clarke seeks an amount not less than \$8,000
15 for at least 16 negligent violations of 47 U.S.C. § 227(b), and \$8,000 for at least 16 negligent
16 violations of 47 U.S.C. § 227(c).

17 226. Charles Clarke personally owns and uses the cellular phone number xxx-xxx-
18 0261. This number is a residential telephone subscription. In the four years preceding
19 4/24/2020 (the date Clarke's original Complaint was filed), GoSmith sent Clarke at least 7
20 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
21 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
22 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
23 text messages without instituting procedures that meet the minimum standards required for
24 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Clarke seeks an
25 amount not less than \$10,500 for at least 7 knowing and willful violations of 47 U.S.C. §
26 227(b), and an amount not less than \$10,500 for at least 7 knowing and willful violations of 47
27 U.S.C. § 227(c). Alternatively, Clarke seeks an amount not less than \$3,500 for at least 7

1 negligent violations of 47 U.S.C. § 227(b), and not less than \$3,500 for at least 7 negligent
 2 violations of 47 U.S.C. § 227(c).

3 227. Russell Clegg personally owns and uses the cellular phone number xxx-xxx-5260.
 4 This number is a residential telephone subscription and is Clegg's personal cell phone. He pays
 5 for it out of his personal account and takes it with him everywhere. Clegg only uses his
 6 cellphone to talk to his wife, for emergencies, or for making calls related to his home-based
 7 business. In the four years preceding 4/22/2020 (the date Clegg's original Complaint was filed),
 8 GoSmith sent Clegg's personal cellphone at least 81 telemarketing text messages. On
 9 8/24/2019, Clegg registered this number on the National Do Not Call Registry, but the
 10 messages from GoSmith did not stop. GoSmith knowingly and willfully sent these text
 11 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
 12 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
 13 text messages without instituting procedures that meet the minimum standards required for
 14 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
 15 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
 16 least 2 text messages to Clegg within a 12-month period after Clegg was registered on the
 17 National Do Not Call Registry, including but not limited to the period between 9/24/2019 and
 18 1/30/2020. Clegg seeks an amount not less than \$121,500 for at least 81 knowing and willful
 19 violations of 47 U.S.C. § 227(b), and an amount not less than \$121,500 for at least 81 knowing
 20 and willful violations of 47 U.S.C. § 227(c). Alternatively, Clegg seeks an amount not less than
 21 \$40,500 for at least 81 negligent violations of 47 U.S.C. § 227(b), and not less than \$40,500 for
 22 at least 81 negligent violations of 47 U.S.C. § 227(c).

23 228. Lloyd Clements personally owns and uses the cellular phone number xxx-xxx-
 24 6021. This number is a residential telephone subscription. On 6/24/2008, Clements registered
 25 this number on the National Do Not Call Registry. In the four years preceding 4/30/2020 (the
 26 date Clements's original Complaint was filed), GoSmith sent Clements at least 25
 27 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text

1 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
 2 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
 3 text messages without instituting procedures that meet the minimum standards required for
 4 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
 5 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
 6 least 2 text messages to Clements within a 12-month period after Clements was registered on
 7 the National Do Not Call Registry, including but not limited to the period between 4/30/2016
 8 and 4/30/2017. Clements seeks an amount not less than \$37,500 for at least 25 knowing and
 9 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$37,500 for at least 25
 10 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Clements seeks an amount
 11 not less than \$12,500 for at least 25 negligent violations of 47 U.S.C. § 227(b), and not less
 12 than \$12,500 for at least 25 negligent violations of 47 U.S.C. § 227(c).

13 229. Patrick Coco personally owns and uses the cellular phone number xxx-xxx-1333.
 14 This number is a residential telephone subscription. In the four years preceding 4/21/2020 (the
 15 date Coco's original Complaint was filed), GoSmith sent Coco at least 10 telemarketing text
 16 messages at this number. GoSmith knowingly and willfully sent these text messages using an
 17 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
 18 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
 19 procedures that meet the minimum standards required for telemarketing in violation of 47
 20 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Coco seeks an amount not less than \$15,000 for at
 21 least 10 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
 22 \$15,000 for at least 10 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
 23 Coco seeks an amount not less than \$5,000 for at least 10 negligent violations of 47 U.S.C. §
 24 227(b), and not less than \$5,000 for at least 10 negligent violations of 47 U.S.C. § 227(c).

25 230. Pietro Coco personally owns and uses the cellular phone number xxx-xxx-2436.
 26 This number is a residential telephone subscription and is Coco's personal cellphone. Coco has
 27 other virtual numbers he uses with apps that forward to his cellphone for business use with his

1 home-based business, which other lines he can distinguish from calls and texts to his personal
2 line. On 01/06/2009, Coco registered this number on the National Do Not Call Registry. In the
3 four years preceding 01/30/2020 (the date Coco's original Complaint was filed), GoSmith sent
4 Coco's personal number at least 2 telemarketing text messages. GoSmith knowingly and
5 willfully sent these text messages using an automatic telephone dialing system in violation of
6 47 U.S.C. § 227(b)(1)(A)(iii). GoSmith knowingly and willfully sent these text messages
7 without instituting procedures that meet the minimum standards required for telemarketing in
8 violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. §
9 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text
10 messages to Coco within a 12-month period after Coco was registered on the National Do Not
11 Call Registry, including but not limited to the period between 06/08/2017 and 06/08/2018.
12 Coco seeks an amount not less than \$3,000 for at least 2 knowing and willful violations of 47
13 U.S.C. § 227(b), and an amount not less than \$3,000 for at least 2 knowing and willful
14 violations of 47 U.S.C. § 227(c). Alternatively, Coco seeks an amount not less than \$1,000 for
15 at least 2 negligent violations of 47 U.S.C. § 227(b), and \$1,000 for at least 2 negligent
16 violations of 47 U.S.C. § 227(c).

17 231. Chris Cole personally owns and uses the cellular phone number xxx-xxx-4210.
18 This number is a residential telephone subscription and is on an individual plan with Cole's
19 cellphone service provider. It is Cole's only phone and he charges it on his nightstand every
20 night. He pays for it out of the proceeds for his home-based business and when he retires, he
21 will no longer have a personal cell phone. The phone he has now, with the number ending in -
22 4210, is the phone he uses for all his communications. In the four years preceding 01/30/2020
23 (the date Cole's original Complaint was filed), GoSmith sent Cole at least 4 telemarketing text
24 messages at this number. GoSmith knowingly and willfully sent these text messages using an
25 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii). GoSmith
26 knowingly and willfully sent these text messages without instituting procedures that meet the
27 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.

§ 64.1200(d). Cole seeks an amount not less than \$6,000 for at least 4 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$6,000 for at least 4 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Cole seeks an amount not less than \$2,000 for at least 4 negligent violations of 47 U.S.C. § 227(b), and \$2,000 for at least 4 negligent violations of 47 U.S.C. § 227(c).

232. Nils Coleman personally owns and uses the cellular phone number xxx-xxx-7474. This number is a residential telephone subscription used by Coleman in his home-based business. Coleman pays for this line through his business checking account and lists this as his main business cellphone line on his personal website. In the four years preceding 12/16/2019 (the date Coleman's original Complaint was filed), GoSmith sent Coleman at least 104 telemarketing text messages at this number. Coleman began receiving text messages, at the latest, by early 2018 and received at least one telemarketing text message per week. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Coleman seeks an amount not less than \$156,000 for at least 104 knowing and willful violations of 47 U.S.C. § 227(b). Alternatively, Coleman seeks an amount not less than \$52,000 for at least 104 negligent violations of 47 U.S.C. § 227(b).

233. Don Coleman personally owns and uses the cellular phone number xxx-xxx-0868. This number is a residential telephone subscription. On 8/19/2006, Coleman registered this number on the National Do Not Call Registry. In the four years preceding 4/22/2020 (the date Coleman's original Complaint was filed), GoSmith sent Coleman at least 11 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47

1 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
2 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to
3 Coleman within a 12-month period after Coleman was registered on the National Do Not Call
4 Registry, including but not limited to the period between 4/22/2016 and 4/22/2017. Coleman
5 seeks an amount not less than \$16,500 for at least 11 knowing and willful violations of 47
6 U.S.C. § 227(b), and an amount not less than \$16,500 for at least 11 knowing and willful
7 violations of 47 U.S.C. § 227(c). Alternatively, Coleman seeks an amount not less than \$5,500
8 for at least 11 negligent violations of 47 U.S.C. § 227(b), and not less than \$5,500 for at least
9 11 negligent violations of 47 U.S.C. § 227(c).

10 234. Joseph Collins personally owns and uses the cellular phone number xxx-xxx-
11 6213. This number is a residential telephone subscription in Collins's name. On 10/24/2008,
12 Collins registered this number on the National Do Not Call Registry. However, in the four
13 years preceding 01/30/2020 (the date Collins's original Complaint was filed), GoSmith sent
14 Collins at least 380 telemarketing text messages at this number. GoSmith knowingly and
15 willfully sent these text messages using an automatic telephone dialing system in violation of
16 47 U.S.C. § 227(b)(1)(A)(iii). GoSmith knowingly and willfully sent these text messages
17 without instituting procedures that meet the minimum standards required for telemarketing in
18 violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. §
19 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text
20 messages to Collins within a 12-month period after Collins was registered on the National Do
21 Not Call Registry, including but not limited to the period between 06/09/2016 and 06/09/2017.
22 Collins seeks an amount not less than \$570,000 for at least 380 knowing and willful violations
23 of 47 U.S.C. § 227(b), and an amount not less than \$570,000 for at least 380 knowing and
24 willful violations of 47 U.S.C. § 227(c). Alternatively, Collins seeks an amount not less than
25 \$190,000 for at least 380 negligent violations of 47 U.S.C. § 227(b), and \$190,000 for at least
26 380 negligent violations of 47 U.S.C. § 227(c).

235. Jeremy Collins personally owns and uses the cellular phone number xxx-xxx-0849. This number is a residential telephone subscription and is Collins's only phone. He pays for this cellphone and its service out of his personal bank account and it is on a personal or family line with his cellphone service provider. He keeps it with him at all times and charges it in his room at night. He makes all personal calls with this phone. In the four years preceding 01/30/2020 (the date Collins's original Complaint was filed), GoSmith sent Collins at least 57 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Collins seeks an amount not less than \$85,500 for at least 57 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$85,500 for at least 57 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Collins seeks an amount not less than \$28,500 for at least 57 negligent violations of 47 U.S.C. § 227(b), and \$28,500 for at least 57 negligent violations of 47 U.S.C. § 227(c).

236. Paul Collis personally owns and uses the cellular phone number xxx-xxx-6395. This number is a residential telephone subscription and is Collis's personal cell phone. He has an individual or family plan with his cellphone service provider and uses this phone for all his personal calls in addition to call relating to his home-based business. In the four years preceding 01/30/2020 (the date Collis's original Complaint was filed), GoSmith sent Collis at least 30 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Collis seeks an amount not less than \$45,000 for at least 30 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$45,000 for at least 30 knowing and willful violations of 47 U.S.C. § 227(c).

1 Alternatively, Collis seeks an amount not less than \$15,000 for at least 30 negligent violations
 2 of 47 U.S.C. § 227(b), and \$15,000 for at least 30 negligent violations of 47 U.S.C. § 227(c).

3 237. Nathan Collord personally owns and uses the cellular phone number xxx-xxx-
 4 9554. This number is a residential telephone subscription. In the four years preceding
 5 4/22/2020 (the date Collord's original Complaint was filed), GoSmith sent Collord at least 22
 6 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
 7 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
 8 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
 9 text messages without instituting procedures that meet the minimum standards required for
 10 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Collord seeks an
 11 amount not less than \$33,000 for at least 22 knowing and willful violations of 47 U.S.C. §
 12 227(b), and an amount not less than \$33,000 for at least 22 knowing and willful violations of
 13 47 U.S.C. § 227(c). Alternatively, Collord seeks an amount not less than \$11,000 for at least 22
 14 negligent violations of 47 U.S.C. § 227(b), and not less than \$11,000 for at least 22 negligent
 15 violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Collord at least 22 commercial text
 16 messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined
 17 number of telephone solicitations in violation of RCW § 80.36.390, for which Collord seeks an
 18 amount not less than \$11,000, attorney's fees, injunctive relief, and treble damages.

19 238. Michael Compton personally owns and uses the cellular phone number xxx-xxx-
 20 7574. This number is a residential telephone subscription and it is Compton's personal cell
 21 phone. He uses the phone in his home-based business, but it is also the phone he uses for all his
 22 personal calls and is paid for out of his personal bank account. He takes it everywhere with him
 23 and charges it in his room at night. On 05/21/2008, Compton registered this number on the
 24 National Do Not Call Registry. Despite this long history on the Do Not Call Registry, in the
 25 four years preceding 01/30/2020 (the date Compton's original Complaint was filed), GoSmith
 26 sent Compton at least 26 telemarketing text messages at this number. Compton received at
 27 least 2 telemarketing solicitations from GoSmith each week, asking him to buy their leads,

1 which he never did. Compton has two phone numbers registered to the same personal cell
2 phone. The second number, xxx-xxx-5176, also received telemarketing texts sent by an
3 autodialer from GoSmith, directed at Compton. Compton had registered this second number on
4 the National Do Not Call Registry on 8/19/2015. GoSmith knowingly and willfully sent these
5 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
6 227(b)(1)(A)(iii). GoSmith knowingly and willfully sent these text messages without
7 instituting procedures that meet the minimum standards required for telemarketing in violation
8 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and
9 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to both
10 of Compton's cell phone numbers within a 12-month period after Compton was registered on
11 the National Do Not Call Registry, including but not limited to the period between 05/08/2017
12 and 05/08/2018. Compton seeks an amount not less than \$39,000 for at least 26 knowing and
13 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$39,000 for at least 26
14 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Compton seeks an amount
15 not less than \$13,000 for at least 26 negligent violations of 47 U.S.C. § 227(b), and \$13,000 for
16 at least 26 negligent violations of 47 U.S.C. § 227(c).

17 239. Jessica Conde personally owns and uses the cellular phone number xxx-xxx-6726.
18 This number is a residential telephone subscription. In the four years preceding 01/30/2020
19 (the date Conde's original Complaint was filed), GoSmith sent Conde at least 290
20 telemarketing text messages at this number. Defendants sent Conde messages several times a
21 day, Monday through Friday, for over a year. GoSmith knowingly and willfully sent these text
22 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
23 227(b)(1)(A)(iii). GoSmith knowingly and willfully sent these text messages without
24 instituting procedures that meet the minimum standards required for telemarketing in violation
25 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Conde seeks an amount not less than
26 \$435,000 for at least 290 knowing and willful violations of 47 U.S.C. § 227(b), and an amount
27 not less than \$435,000 for at least 290 knowing and willful violations of 47 U.S.C. § 227(c).

1 Alternatively, Conde seeks an amount not less than \$145,000 for at least 290 negligent
2 violations of 47 U.S.C. § 227(b), and \$145,000 for at least 290 negligent violations of 47
3 U.S.C. § 227(c).

4 240. Willie Conklin personally owns and uses the cellular phone number xxx-xxx-
5 9548. This number is a residential telephone subscription and is Conklin's only phone. Conklin
6 pays for his cellular service through a family plan with his cellphone service provider. He pays
7 for the phone through his personal bank account. He does occasionally receive calls relating to
8 his home-based business, but he makes all of his personal calls with this phone. In the four
9 years preceding 4/22/2020 (the date Conklin's original Complaint was filed), GoSmith sent
10 Conklin at least 15 telemarketing text messages at this number. GoSmith knowingly and
11 willfully sent these text messages using an automatic telephone dialing system in violation of
12 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully
13 sent these text messages without instituting procedures that meet the minimum standards
14 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d).
15 Conklin seeks an amount not less than \$22,500 for at least 15 knowing and willful violations of
16 47 U.S.C. § 227(b), and an amount not less than \$22,500 for at least 15 knowing and willful
17 violations of 47 U.S.C. § 227(c). Alternatively, Conklin seeks an amount not less than \$7,500
18 for at least 15 negligent violations of 47 U.S.C. § 227(b), and not less than \$7,500 for at least
19 15 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Conklin at least 15
20 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an
21 undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which
22 Conklin seeks an amount not less than \$7,500, attorney's fees, injunctive relief, and treble
23 damages.

24 241. Andres Contreras personally owns and uses the cellular phone number xxx-xxx-
25 9598. This number is a residential telephone subscription. In the four years preceding
26 4/22/2020 (the date Contreras's original Complaint was filed), GoSmith sent Contreras at least
27 63 telemarketing text messages at this number. GoSmith knowingly and willfully sent these

1 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
 2 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
 3 text messages without instituting procedures that meet the minimum standards required for
 4 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Contreras seeks
 5 an amount not less than \$94,500 for at least 63 knowing and willful violations of 47 U.S.C. §
 6 227(b), and an amount not less than \$94,500 for at least 63 knowing and willful violations of
 7 47 U.S.C. § 227(c). Alternatively, Contreras seeks an amount not less than \$31,500 for at least
 8 63 negligent violations of 47 U.S.C. § 227(b), and not less than \$31,500 for at least 63
 9 negligent violations of 47 U.S.C. § 227(c).

10 242. Brent Cook personally owns and uses the cellular phone number xxx-xxx-0497.
 11 his number is a residential telephone subscription and is Cook's personal cell phone, with
 12 which he makes all of his personal calls. He carries the phone at all times and charges it in his
 13 home at night. He also uses it for calls relating to his home-based business, but his business has
 14 a different, dedicated office line. In the four years preceding 11/18/2020 (the date Cook's
 15 original Complaint was filed), GoSmith sent Cook at least 380 telemarketing text messages at
 16 this number, at least once every day. GoSmith knowingly and willfully sent these text
 17 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
 18 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
 19 text messages without instituting procedures that meet the minimum standards required for
 20 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Cook seeks an
 21 amount not less than \$570,000 for at least 380 knowing and willful violations of 47 U.S.C. §
 22 227(b), and an amount not less than \$570,000 for at least 380 knowing and willful violations of
 23 47 U.S.C. § 227(c). Alternatively, Cook seeks an amount not less than \$190,000 for at least
 24 380 negligent violations of 47 U.S.C. § 227(b), and not less than \$190,000 for at least 380
 25 negligent violations of 47 U.S.C. § 227(c).

26 243. Christina Cooke-Mayrant personally owns and uses the cellular phone number
 27 xxx-xxx-2839. This number is a residential telephone subscription and is Cooke-Mayrant's

1 only phone. She has a family or individual plan with the cellphone service provider and pays
2 for the phone through her personal bank account. In the four years preceding 1/30/2020 (the
3 date Cooke-Mayrant's original Complaint was filed), GoSmith sent Cooke-Mayrant at least 68
4 telemarketing text messages at this number, trying to sell her painting and construction leads.
5 Cooke-Mayrant was a realtor. She did not sign up for or request GoSmith's solicitations to her
6 personal cell phone. GoSmith knowingly and willfully sent these text messages using an
7 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
8 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
9 procedures that meet the minimum standards required for telemarketing in violation of 47
10 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Cooke-Mayrant seeks an amount not less than
11 \$102,000 for at least 68 knowing and willful violations of 47 U.S.C. § 227(b), and an amount
12 not less than \$102,000 for at least 68 knowing and willful violations of 47 U.S.C. § 227(c).
13 Alternatively, Cooke-Mayrant seeks an amount not less than \$34,000 for at least 68 negligent
14 violations of 47 U.S.C. § 227(b), and not less than \$34,000 for at least 68 negligent violations
15 of 47 U.S.C. § 227(c).

16 244. Ron Cooper personally owns and uses the cellular phone number xxx-xxx-8678.
17 This number is a residential telephone subscription and is Cooper's only phone. He pays for it
18 out of his personal bank account and makes all of his personal calls with this phone, charging
19 at night in his home. In the four years preceding 4/27/2020 (the date Cooper's original
20 Complaint was filed), GoSmith sent Cooper at least 45 telemarketing text messages at this
21 number. GoSmith knowingly and willfully sent these text messages using an automatic
22 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
23 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
24 procedures that meet the minimum standards required for telemarketing in violation of 47
25 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Cooper seeks an amount not less than \$67,500 for
26 at least 45 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
27 \$67,500 for at least 45 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,

1 Cooper seeks an amount not less than \$22,500 for at least 45 negligent violations of 47 U.S.C.
2 § 227(b), and not less than \$22,500 for at least 45 negligent violations of 47 U.S.C. § 227(c).
3 Finally, GoSmith sent Cooper at least 45 commercial text messages in violation of RCW §§
4 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in
5 violation of RCW § 80.36.390, for which Cooper seeks an amount not less than \$22,500,
6 attorney's fees, injunctive relief, and treble damages.

7 245. Donald Coover personally owns and uses the cellular phone number xxx-xxx-
8 9792. This number is a residential telephone subscription and is Coover's only phone, which he
9 pays for out of his personal bank account and with which he makes all of his personal calls and
10 also makes calls relating to his home-based business. On 8/30/2003, Coover registered this
11 number on the National Do Not Call Registry. In the four years preceding 4/21/2020 (the date
12 Coover's original Complaint was filed), GoSmith sent Coover at least 68 telemarketing text
13 messages at this number, at least two a week. GoSmith knowingly and willfully sent these text
14 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
15 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
16 text messages without instituting procedures that meet the minimum standards required for
17 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
18 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
19 least 2 text messages to Coover within a 12-month period after Coover was registered on the
20 National Do Not Call Registry, including but not limited to the period between 2/16/2017 and
21 10/10/2017. Coover seeks an amount not less than \$102,000 for at least 68 knowing and willful
22 violations of 47 U.S.C. § 227(b), and an amount not less than \$102,000 for at least 68 knowing
23 and willful violations of 47 U.S.C. § 227(c). Alternatively, Coover seeks an amount not less
24 than \$34,000 for at least 68 negligent violations of 47 U.S.C. § 227(b), and not less than
25 \$34,000 for at least 68 negligent violations of 47 U.S.C. § 227(c).

26 246. Hoshea Cordowin personally owns and uses the cellular phone number xxx-xxx-
27 7359. This number is a residential telephone subscription. On 1/29/2008, Cordowin registered

1 this number on the National Do Not Call Registry. In the four years preceding 4/27/2020 (the
2 date Cordowin's original Complaint was filed), GoSmith sent Cordowin at least 13
3 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
4 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
5 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
6 text messages without instituting procedures that meet the minimum standards required for
7 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
8 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
9 least 2 text messages to Cordowin within a 12-month period after Cordowin was registered on
10 the National Do Not Call Registry, including but not limited to the period between 4/27/2016
11 and 4/27/2017. Cordowin seeks an amount not less than \$19,500 for at least 13 knowing and
12 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$19,500 for at least 13
13 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Cordowin seeks an
14 amount not less than \$6,500 for at least 13 negligent violations of 47 U.S.C. § 227(b), and not
15 less than \$6,500 for at least 13 negligent violations of 47 U.S.C. § 227(c).

16 247. William Corette, Jr. personally owns and uses the cellular phone number xxx-
17 xxx-0043. This number is a residential telephone subscription. On 6/16/2006, Corette, Jr.
18 registered this number on the National Do Not Call Registry. In the four years preceding
19 4/24/2020 (the date Corette, Jr.'s original Complaint was filed), GoSmith sent Corette, Jr. at
20 least 7 telemarketing text messages at this number, although, upon information and belief, the
21 actual number of messages is much higher. GoSmith knowingly and willfully sent these text
22 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
23 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
24 text messages without instituting procedures that meet the minimum standards required for
25 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
26 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
27 least 2 text messages to Corette, Jr. within a 12-month period after Corette, Jr. was registered

1 on the National Do Not Call Registry, including but not limited to the period between
2 6/28/2017 and 6/28/2018. Corette, Jr. seeks an amount not less than \$10,500 for at least 7
3 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$10,500 for
4 at least 7 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Corette, Jr. seeks
5 an amount not less than \$3,500 for at least 7 negligent violations of 47 U.S.C. § 227(b), and not
6 less than \$3,500 for at least 7 negligent violations of 47 U.S.C. § 227(c).

7 248. Regina Corley personally owns and uses the cellular phone number xxx-xxx-
8 9253. This number is a residential telephone subscription. In the four years preceding
9 1/30/2020 (the date Corley's original Complaint was filed), GoSmith sent Corley at least 8
10 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
11 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
12 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
13 text messages without instituting procedures that meet the minimum standards required for
14 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Corley seeks an
15 amount not less than \$12,000 for at least 8 knowing and willful violations of 47 U.S.C. §
16 227(b), and an amount not less than \$12,000 for at least 8 knowing and willful violations of 47
17 U.S.C. § 227(c). Alternatively, Corley seeks an amount not less than \$4,000 for at least 8
18 negligent violations of 47 U.S.C. § 227(b), and not less than \$4,000 for at least 8 negligent
19 violations of 47 U.S.C. § 227(c).

20 249. Cristian Corniciuc personally owns and uses the cellular phone number xxx-xxx-
21 6744. This number is a residential telephone subscription and is Corniciuc's personal
22 cellphone. On 6/8/2018, Corniciuc registered this number on the National Do Not Call
23 Registry. In the four years preceding 4/21/2020 (the date Corniciuc's original Complaint was
24 filed), GoSmith sent Corniciuc at least 456 telemarketing text messages at this number,
25 sometimes exceeding 30 texts per week. GoSmith knowingly and willfully sent these text
26 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
27 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these

1 text messages without instituting procedures that meet the minimum standards required for
2 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
3 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
4 least 2 text messages to Corniciuc within a 12-month period after Corniciuc was registered on
5 the National Do Not Call Registry, including but not limited to the period between 6/8/2018
6 and 6/8/2019. Corniciuc seeks an amount not less than \$684,000 for at least 456 knowing and
7 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$684,000 for at least 456
8 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Corniciuc seeks an
9 amount not less than \$228,000 for at least 456 negligent violations of 47 U.S.C. § 227(b), and
10 not less than \$228,000 for at least 456 negligent violations of 47 U.S.C. § 227(c).

11 250. Jose Corral personally owns and uses the cellular phone number xxx-xxx-5639.
12 This number is a residential telephone subscription. In the four years preceding 1/30/2020 (the
13 date Corral's original Complaint was filed), GoSmith sent Corral at least 5 telemarketing text
14 messages at this number. GoSmith knowingly and willfully sent these text messages using an
15 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
16 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
17 procedures that meet the minimum standards required for telemarketing in violation of 47
18 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Corral seeks an amount not less than \$7,500 for at
19 least 5 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
20 \$7,500 for at least 5 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Corral
21 seeks an amount not less than \$2,500 for at least 5 negligent violations of 47 U.S.C. § 227(b),
22 and not less than \$2,500 for at least 5 negligent violations of 47 U.S.C. § 227(c). Finally,
23 GoSmith sent Corral at least 5 commercial text messages in violation of RCW §§ 19.190.060,
24 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of
25 RCW § 80.36.390, for which Corral seeks an amount not less than \$2,500, attorney's fees,
26 injunctive relief, and treble damages.

1 251. Andrew Correa personally owns and uses the cellular phone number xxx-xxx-
2 8857. This number is a residential telephone subscription and Correa's only cellphone. It is the
3 phone on which he makes all of his personal calls, although he does take some business calls
4 relating to his home-based business on this line as well. It is a personal or family plan with
5 Correa's cellphone service provider, and Correa keeps the phone with him and charges it in his
6 room at night. In the four years preceding 01/30/2020 (the date Correa's original Complaint
7 was filed), GoSmith sent Correa at least 155 telemarketing text messages at this number.
8 GoSmith knowingly and willfully sent these text messages using an automatic telephone
9 dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii). GoSmith knowingly and willfully
10 sent these text messages without instituting procedures that meet the minimum standards
11 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d).
12 Correa seeks an amount not less than \$232,500 for at least 155 knowing and willful violations
13 of 47 U.S.C. § 227(b), and an amount not less than \$232,500 for at least 155 knowing and
14 willful violations of 47 U.S.C. § 227(c). Alternatively, Correa seeks an amount not less than
15 \$77,500 for at least 155 negligent violations of 47 U.S.C. § 227(b), and \$77,500 for at least 155
16 negligent violations of 47 U.S.C. § 227(c).

17 252. Raymond Covington personally owns and uses the cellular phone number xxx-
18 xxx-3719. This number is a residential telephone subscription and is Covington's only phone.
19 He uses it for all his personal calls and it is on a personal or family cellular service plan. In the
20 four years preceding 4/22/2020 (the date Covington's original Complaint was filed), GoSmith
21 sent Covington at least 24 telemarketing text messages at this number. GoSmith knowingly and
22 willfully sent these text messages using an automatic telephone dialing system in violation of
23 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully
24 sent these text messages without instituting procedures that meet the minimum standards
25 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d).
26 Covington seeks an amount not less than \$36,000 for at least 24 knowing and willful violations
27 of 47 U.S.C. § 227(b), and an amount not less than \$36,000 for at least 24 knowing and willful

1 violations of 47 U.S.C. § 227(c). Alternatively, Covington seeks an amount not less than
2 \$12,000 for at least 24 negligent violations of 47 U.S.C. § 227(b), and not less than \$12,000 for
3 at least 24 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Covington at least
4 24 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and
5 an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which
6 Covington seeks an amount not less than \$12,000, attorney's fees, injunctive relief, and treble
7 damages.

8 253. Brian Cox is a veteran who personally owns and uses the cellular phone number
9 xxx-xxx-6670. This number is a residential telephone subscription and is Cox's only phone.
10 His wife and children have their own phones and Cox and his family share a family plan with
11 their cellular service provider. Cox uses his phone for all his personal calls and makes some
12 calls relating to his home-based business with it, but it is his personal phone which he carries
13 with him and charges in his room at night. On 08/22/2005, Cox registered this number on the
14 National Do Not Call Registry. In the four years preceding 01/30/2020 (the date Cox's original
15 Complaint was filed), GoSmith sent Cox at least 38 telemarketing text messages at this
16 number, sending at least 1-2 messages a day for several weeks. GoSmith knowingly and
17 willfully sent these text messages using an automatic telephone dialing system in violation of
18 47 U.S.C. § 227(b)(1)(A)(iii). GoSmith knowingly and willfully sent these text messages
19 without instituting procedures that meet the minimum standards required for telemarketing in
20 violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. §
21 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text
22 messages to Cox within a 12-month period after Cox was registered on the National Do Not
23 Call Registry, including but not limited to the period between 10/04/2017 and 06/26/2018. Cox
24 seeks an amount not less than \$57,000 for at least 38 knowing and willful violations of 47
25 U.S.C. § 227(b), and an amount not less than \$57,000 for at least 38 knowing and willful
26 violations of 47 U.S.C. § 227(c). Alternatively, Cox seeks an amount not less than \$19,000 for
27

1 at least 38 negligent violations of 47 U.S.C. § 227(b), and \$19,000 for at least 38 negligent
2 violations of 47 U.S.C. § 227(c).

3 254. Maurice Crabbe personally owns and uses the cellular phone number xxx-xxx-
4 9483. This number is a residential telephone subscription and is Crabbe's personal cell phone,
5 which he uses for all his personal calls and also in his home-based business. On 06/14/2009,
6 Crabbe registered this number on the National Do Not Call Registry. In the four years
7 preceding 01/30/2020 (the date Crabbe's original Complaint was filed), GoSmith sent Crabbe
8 at least 107 telemarketing text messages at this number. GoSmith knowingly and willfully sent
9 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
10 227(b)(1)(A)(iii). GoSmith knowingly and willfully sent these text messages without
11 instituting procedures that meet the minimum standards required for telemarketing in violation
12 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and
13 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to
14 Crabbe within a 12-month period after Crabbe was registered on the National Do Not Call
15 Registry, including but not limited to the period between 07/04/2017 and 07/04/2018. Crabbe
16 seeks an amount not less than \$160,500 for at least 107 knowing and willful violations of 47
17 U.S.C. § 227(b), and an amount not less than \$160,500 for at least 107 knowing and willful
18 violations of 47 U.S.C. § 227(c). Alternatively, Crabbe seeks an amount not less than \$53,500
19 for at least 107 negligent violations of 47 U.S.C. § 227(b), and \$53,500 for at least 107
20 negligent violations of 47 U.S.C. § 227(c)

21 255. Alan Craig personally owns and uses the cellular phone number xxx-xxx-9709.
22 This number is a residential telephone subscription and is on a personal or family plan with
23 Craig's cellular service provider. Craig makes all his personal calls with this phone and has a
24 separate number for work and business calls, which goes to his office and not to his personal
25 phone. On 12/09/2004, Craig registered this number on the National Do Not Call Registry.
26 Despite having been on the Do Not Call Registry with the same number for over 12 years, in
27 the four years preceding 01/30/2020 (the date Craig's original Complaint was filed), GoSmith

1 sent Craig at least 5 telemarketing text messages per week at this number, for a total number of
2 texts that exceeded 678 telemarketing text messages. GoSmith knowingly and willfully sent
3 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
4 227(b)(1)(A)(iii). GoSmith knowingly and willfully sent these text messages without
5 instituting procedures that meet the minimum standards required for telemarketing in violation
6 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and
7 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Craig
8 within a 12-month period after Craig was registered on the National Do Not Call Registry,
9 including but not limited to the period between 06/24/2017 and 06/24/2018. Craig seeks an
10 amount not less than \$1,017,000 for at least 678 knowing and willful violations of 47 U.S.C. §
11 227(b), and an amount not less than \$1,017,000 for at least 678 knowing and willful violations
12 of 47 U.S.C. § 227(c). Alternatively, Craig seeks an amount not less than \$339,000 for at least
13 678 negligent violations of 47 U.S.C. § 227(b), and \$339,000 for at least 678 negligent
14 violations of 47 U.S.C. § 227(c).

15 256. Jay Cram personally owns and uses the cellular phone number xxx-xxx-2670.
16 This number is a residential telephone subscription. On 7/10/2003, Cram registered this
17 number on the National Do Not Call Registry. In the four years preceding 4/28/2020 (the date
18 Cram's original Complaint was filed), GoSmith sent Cram at least 5 telemarketing text
19 messages at this number. GoSmith knowingly and willfully sent these text messages using an
20 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
21 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
22 procedures that meet the minimum standards required for telemarketing in violation of 47
23 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
24 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Cram
25 within a 12-month period after Cram was registered on the National Do Not Call Registry,
26 including but not limited to the period between 4/28/2016 and 4/28/2017. Cram seeks an
27 amount not less than \$7,500 for at least 5 knowing and willful violations of 47 U.S.C. § 227(b),

1 and an amount not less than \$7,500 for at least 5 knowing and willful violations of 47 U.S.C. §
2 227(c). Alternatively, Cram seeks an amount not less than \$2,500 for at least 5 negligent
3 violations of 47 U.S.C. § 227(b), and not less than \$2,500 for at least 5 negligent violations of
4 47 U.S.C. § 227(c).

5 257. Brian Cramer personally owns and uses the cellular phone number xxx-xxx-9368.
6 This number is a residential telephone subscription. In the four years preceding 4/21/2020 (the
7 date Cramer's original Complaint was filed), GoSmith sent Cramer at least 2 telemarketing text
8 messages at this number. GoSmith knowingly and willfully sent these text messages using an
9 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
10 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
11 procedures that meet the minimum standards required for telemarketing in violation of 47
12 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Cramer seeks an amount not less than \$3,000 for
13 at least 2 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
14 \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
15 Cramer seeks an amount not less than \$1,000 for at least 2 negligent violations of 47 U.S.C. §
16 227(b), and not less than \$1,000 for at least 2 negligent violations of 47 U.S.C. § 227(c).

17 258. Kirk Cramer personally owns and uses the cellular phone number xxx-xxx-3366.
18 This number is a residential telephone subscription and is Cramer's only phone. Cramer pays
19 for this phone out of his personal bank account and uses it for all his personal calls. He also has
20 a home-based business and he makes calls from this phone relating to that business. He keeps
21 his phone with him and charges it in his room at night. In the four years preceding 4/22/2020
22 (the date Cramer's original Complaint was filed), GoSmith sent Cramer at least 91
23 telemarketing text messages and phone calls at this number, calling and texting two to three
24 times a week and even texting very early in the morning. GoSmith knowingly and willfully
25 sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C.
26 § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
27 text messages without instituting procedures that meet the minimum standards required for

1 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Cramer seeks an
 2 amount not less than \$136,500 for at least 91 knowing and willful violations of 47 U.S.C. §
 3 227(b), and an amount not less than \$136,500 for at least 91 knowing and willful violations of
 4 47 U.S.C. § 227(c). Alternatively, Cramer seeks an amount not less than \$45,500 for at least 91
 5 negligent violations of 47 U.S.C. § 227(b), and not less than \$45,500 for at least 91 negligent
 6 violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Cramer at least 91 commercial text
 7 messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined
 8 number of telephone solicitations in violation of RCW § 80.36.390, for which Cramer seeks an
 9 amount not less than \$45,500, attorney's fees, injunctive relief, and treble damages.

10 259. Armando Crespin personally owns and uses the cellular phone number xxx-xxx-
 11 2147. This number is a residential telephone subscription. In the four years preceding
 12 1/30/2020 (the date Crespin's original Complaint was filed), GoSmith sent Crespin at least 59
 13 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
 14 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
 15 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
 16 text messages without instituting procedures that meet the minimum standards required for
 17 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Crespin seeks an
 18 amount not less than \$88,500 for at least 59 knowing and willful violations of 47 U.S.C. §
 19 227(b), and an amount not less than \$88,500 for at least 59 knowing and willful violations of
 20 47 U.S.C. § 227(c). Alternatively, Crespin seeks an amount not less than \$29,500 for at least
 21 59 negligent violations of 47 U.S.C. § 227(b), and not less than \$29,500 for at least 59
 22 negligent violations of 47 U.S.C. § 227(c).

23 260. Jim Crites personally owns and uses the cellular phone number xxx-xxx-0427.
 24 This number is a residential telephone subscription. In the four years preceding 1/30/2020 (the
 25 date Crites's original Complaint was filed), GoSmith sent Crites at least 221 telemarketing text
 26 messages at this number. GoSmith knowingly and willfully sent these text messages using an
 27 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.

§ 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Crites seeks an amount not less than \$331,500 for at least 221 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$331,500 for at least 221 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Crites seeks an amount not less than \$110,500 for at least 221 negligent violations of 47 U.S.C. § 227(b), and not less than \$110,500 for at least 221 negligent violations of 47 U.S.C. § 227(c).

261. Andrew Croan personally owns and uses the cellular phone number xxx-xxx-4142. This number is a residential telephone subscription and is Croan's only phone. This is Croan's personal cellphone, which he uses to make all his personal calls and which he pays for out of his personal bank account. Croan had a separate business number which was attached to a landline phone for his work. In the four years preceding 4/22/2020 (the date Croan's original Complaint was filed), GoSmith sent Croan;s personal cellphone at least 95 telemarketing text messages at this number. Croan repeatedly replied, "STOP" and told GoSmith not to send him any more texts or information, but GoSmith continued to text Croan its solicitations. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Croan seeks an amount not less than \$142,500 for at least 95 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$142,500 for at least 95 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Croan seeks an amount not less than \$47,500 for at least 95 negligent violations of 47 U.S.C. § 227(b), and not less than \$47,500 for at least 95 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Croan at least 95 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of RCW §

80.36.390, for which Croan seeks an amount not less than \$47,500, attorney's fees, injunctive relief, and treble damages.

262. Ronald Crosby personally owns and uses the cellular phone number xxx-xxx-0254. This number is a residential telephone subscription. On 12/18/2004, Crosby registered this number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date Crosby's original Complaint was filed), GoSmith sent Crosby at least 3 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Crosby within a 12-month period after Crosby was registered on the National Do Not Call Registry, including but not limited to the period between 4/28/2017 and 4/28/2018. Crosby seeks an amount not less than \$4,500 for at least 3 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$4,500 for at least 3 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Crosby seeks an amount not less than \$1,500 for at least 3 negligent violations of 47 U.S.C. § 227(b), and not less than \$1,500 for at least 3 negligent violations of 47 U.S.C. § 227(c).

263. Samuel Cruz personally owns and uses the cellular phone number xxx-xxx-1380. This number is a residential telephone subscription. In the four years preceding 4/21/2020 (the date Cruz's original Complaint was filed), GoSmith sent Cruz at least 6 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Cruz seeks an amount not less than \$9,000 for at

1 least 6 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
2 \$9,000 for at least 6 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Cruz
3 seeks an amount not less than \$3,000 for at least 6 negligent violations of 47 U.S.C. § 227(b),
4 and not less than \$3,000 for at least 6 negligent violations of 47 U.S.C. § 227(c).

5 264. Tammy Cunningham personally owns and uses the cellular phone number xxx-
6 xxx-1868. This number is a residential telephone subscription. On 5/13/2010, Cunningham
7 registered this number on the National Do Not Call Registry. In the four years preceding
8 1/30/2020 (the date Cunningham's original Complaint was filed), GoSmith sent Cunningham at
9 least 6 telemarketing text messages at this number. GoSmith knowingly and willfully sent
10 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
11 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
12 text messages without instituting procedures that meet the minimum standards required for
13 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
14 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
15 least 2 text messages to Cunningham within a 12-month period after Cunningham was
16 registered on the National Do Not Call Registry, including but not limited to the period
17 between 5/23/2017 and 5/23/2018. Cunningham seeks an amount not less than \$9,000 for at
18 least 6 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
19 \$9,000 for at least 6 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
20 Cunningham seeks an amount not less than \$3,000 for at least 6 negligent violations of 47
21 U.S.C. § 227(b), and not less than \$3,000 for at least 6 negligent violations of 47 U.S.C. §
22 227(c).

23 265. Joe Darg personally owns and uses the cellular phone number xxx-xxx-4084. This
24 number is a residential telephone subscription. In the four years preceding 4/29/2020 (the date
25 Darg's original Complaint was filed), GoSmith sent Darg at least 4 telemarketing text messages
26 at this number. GoSmith knowingly and willfully sent these text messages using an automatic
27 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §

64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Darg seeks an amount not less than \$6,000 for at least 4 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$6,000 for at least 4 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Darg seeks an amount not less than \$2,000 for at least 4 negligent violations of 47 U.S.C. § 227(b), and not less than \$2,000 for at least 4 negligent violations of 47 U.S.C. § 227(c).

266. Mike Darling personally owns and uses the cellular phone number xxx-xxx-3758. This number is a residential telephone subscription. In the four years preceding 4/28/2020 (the date Darling's original Complaint was filed), GoSmith sent Darling at least 96 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Darling seeks an amount not less than \$144,000 for at least 96 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$144,000 for at least 96 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Darling seeks an amount not less than \$48,000 for at least 96 negligent violations of 47 U.S.C. § 227(b), and not less than \$48,000 for at least 96 negligent violations of 47 U.S.C. § 227(c).

267. John Daschofsky personally owns and uses the cellular phone number xxx-xxx-5658. This number is a residential telephone subscription and is Daschofsky's personal cellphone, which he pays for out of his personal bank account. Daschofsky has only one phone for all of his communication needs and keeps this phone with him, charging it in his room at night. He makes all of his personal calls using this phone number. In the four years preceding 4/22/2020 (the date Daschofsky's original Complaint was filed), GoSmith sent Daschofsky at least 41 telemarketing text messages at this number. GoSmith knowingly and willfully sent

1 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
2 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
3 text messages without instituting procedures that meet the minimum standards required for
4 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Daschofsky seeks
5 an amount not less than \$61,500 for at least 41 knowing and willful violations of 47 U.S.C. §
6 227(b), and an amount not less than \$61,500 for at least 41 knowing and willful violations of
7 47 U.S.C. § 227(c). Alternatively, Daschofsky seeks an amount not less than \$20,500 for at
8 least 41 negligent violations of 47 U.S.C. § 227(b), and not less than \$20,500 for at least 41
9 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Daschofsky at least 41
10 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an
11 undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which
12 Daschofsky seeks an amount not less than \$20,500, attorney's fees, injunctive relief, and treble
13 damages.

14 268. Travis David personally owns and uses the cellular phone number xxx-xxx-8329.
15 This number is a residential telephone subscription and is David's personal cellphone. It is his
16 only phone and he does use it on occasion for home-based business calls, but it is his primary
17 and only phone for all his personal calls and he uses his personal bank account to pay for this
18 phone and its cellular service. On 06/03/2004, David registered this number on the National Do
19 Not Call Registry. Despite David having been on the Do Not Call Registry for over 12 years, in
20 the four years preceding 01/30/2020 (the date David's original Complaint was filed), GoSmith
21 sent David at least 6 telemarketing text messages at this number. GoSmith knowingly and
22 willfully sent these text messages using an automatic telephone dialing system in violation of
23 47 U.S.C. § 227(b)(1)(A)(iii). GoSmith knowingly and willfully sent these text messages
24 without instituting procedures that meet the minimum standards required for telemarketing in
25 violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. §
26 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text
27 messages to David within a 12-month period after David was registered on the National Do

1 Not Call Registry, including but not limited to the period between 06/14/2017 and 06/14/2018.
2 David seeks an amount not less than \$9,000 for at least 6 knowing and willful violations of 47
3 U.S.C. § 227(b), and an amount not less than \$9,000 for at least 6 knowing and willful
4 violations of 47 U.S.C. § 227(c). Alternatively, David seeks an amount not less than \$3,000 for
5 at least 6 negligent violations of 47 U.S.C. § 227(b), and \$3,000 for at least 6 negligent
6 violations of 47 U.S.C. § 227(c).

7 269. Benjamin Davies personally owns and uses the cellular phone number xxx-xxx-
8 0928. This number is a residential telephone subscription and is Davies's personal cellphone.
9 He uses it for work calls because he is a truck driver and needs to have cellular service. He also
10 occasionally takes construction jobs. This phone number is his only phone and he makes all of
11 his personal calls using this phone number. On 7/22/2005, Davies registered this number on the
12 National Do Not Call Registry. Despite his long history on the Do Not Call Registry, in the
13 four years preceding 4/22/2020 (the date Davies's original Complaint was filed), GoSmith sent
14 Davies at least 365 telemarketing text messages and phone calls to Davies's personal cellphone
15 at this number, at a rate of more than four a week. Davies was often angry at the constant
16 bombardment of both calls and texts, which raised his blood pressure and frustrated him. Many
17 times, Davies spoke to GoSmith representatives and asked that his number be placed on their
18 internal Do Not Call list, but the representatives would hang up on him. He would get other
19 phone calls from different individuals and more annoying texts shortly thereafter. Davies
20 considered it intentional harassment. GoSmith knowingly and willfully sent these text
21 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
22 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
23 text messages without instituting procedures that meet the minimum standards required for
24 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
25 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
26 least 2 text messages to Davies within a 12-month period after Davies was registered on the
27 National Do Not Call Registry, including but not limited to the period between 4/27/2016 and

1 4/27/2017. Davies seeks an amount not less than \$547,500 for at least 365 knowing and willful
2 violations of 47 U.S.C. § 227(b), and an amount not less than \$547,500 for at least 365
3 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Davies seeks an amount
4 not less than \$182,500 for at least 365 negligent violations of 47 U.S.C. § 227(b), and not less
5 than \$182,500 for at least 365 negligent violations of 47 U.S.C. § 227(c).

6 270. Clint Davis personally owns and uses the cellular phone number xxx-xxx-7093.
7 This number is a residential telephone subscription. In the four years preceding 1/30/2020 (the
8 date Davis's original Complaint was filed), GoSmith sent Davis at least 10 telemarketing text
9 messages at this number. GoSmith knowingly and willfully sent these text messages using an
10 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
11 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
12 procedures that meet the minimum standards required for telemarketing in violation of 47
13 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Davis seeks an amount not less than \$15,000 for
14 at least 10 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
15 \$15,000 for at least 10 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
16 Davis seeks an amount not less than \$5,000 for at least 10 negligent violations of 47 U.S.C. §
17 227(b), and not less than \$5,000 for at least 10 negligent violations of 47 U.S.C. § 227(c).

18 271. Jeffrey Davis personally owns and uses the cellular phone number xxx-xxx-3628.
19 This number is a residential telephone subscription. In the four years preceding 4/24/2020 (the
20 date Davis's original Complaint was filed), GoSmith sent Davis at least 52 telemarketing text
21 messages at this number. GoSmith knowingly and willfully sent these text messages using an
22 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
23 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
24 procedures that meet the minimum standards required for telemarketing in violation of 47
25 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Davis seeks an amount not less than \$78,000 for
26 at least 52 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
27 \$78,000 for at least 52 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,

1 Davis seeks an amount not less than \$26,000 for at least 52 negligent violations of 47 U.S.C. §
2 227(b), and not less than \$26,000 for at least 52 negligent violations of 47 U.S.C. § 227(c).

3 272. Linda Dazey personally owns and uses the cellular phone number xxx-xxx-3524.
4 This number is a residential telephone subscription and is Dazey's only phone. She uses this
5 phone for all her personal calls and keeps it in her room at night. It is on a personal plan and
6 she pays for it out of her personal bank account. Like anyone else, she makes some work calls
7 related to her home-based business with this phone. On 07/07/2007, Dazey registered this
8 number on the National Do Not Call Registry. In the four years preceding 01/30/2020 (the date
9 Dazey's original Complaint was filed), GoSmith sent Dazey at least 9 telemarketing text
10 messages at this number. GoSmith knowingly and willfully sent these text messages using an
11 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii). GoSmith
12 knowingly and willfully sent these text messages without instituting procedures that meet the
13 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
14 § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith
15 knowingly and willfully sent at least 2 text messages to Dazey within a 12-month period after
16 Dazey was registered on the National Do Not Call Registry, including but not limited to the
17 period between 05/16/2017 and 06/22/2017. Dazey seeks an amount not less than \$13,500 for
18 at least 9 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
19 \$13,500 for at least 9 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
20 Dazey seeks an amount not less than \$4,500 for at least 9 negligent violations of 47 U.S.C. §
21 227(b), and \$4,500 for at least 9 negligent violations of 47 U.S.C. § 227(c).

22 273. Jesse Debartolo personally owns and uses the cellular phone number xxx-xxx-
23 7673. This number is a residential telephone subscription and is Debartolo's only phone. He
24 uses this cellphone for all his personal calls and charges it in his room at night. He pays for it
25 out of his personal bank account. In the four years preceding 4/28/2020 (the date Debartolo's
26 original Complaint was filed), GoSmith sent Debartolo at least 24 telemarketing text messages
27 at this number. Debartolo did not return any of the calls or request or invite GoSmith's

1 solicitations. He never gave GoSmith consent to text him, and GoSmith's texts were a source of
2 constant annoyance to Debartolo. GoSmith knowingly and willfully sent these text messages
3 using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and
4 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
5 instituting procedures that meet the minimum standards required for telemarketing in violation
6 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Debartolo seeks an amount not less than
7 \$36,000 for at least 24 knowing and willful violations of 47 U.S.C. § 227(b), and an amount
8 not less than \$36,000 for at least 24 knowing and willful violations of 47 U.S.C. § 227(c).
9 Alternatively, Debartolo seeks an amount not less than \$12,000 for at least 24 negligent
10 violations of 47 U.S.C. § 227(b), and not less than \$12,000 for at least 24 negligent violations
11 of 47 U.S.C. § 227(c). Finally, GoSmith sent Debartolo at least 24 commercial text messages
12 in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of
13 telephone solicitations in violation of RCW § 80.36.390, for which Debartolo seeks an amount
14 not less than \$12,000, attorney's fees, injunctive relief, and treble damages.

15 274. Frank Deese personally owns and uses the cellular phone number xxx-xxx-5200.
16 This number is a residential telephone subscription. On 2/10/2006, Deese registered this
17 number on the National Do Not Call Registry. In the past several years, he has used it for
18 business. In the four years preceding 4/28/2020 (the date Deese's original Complaint was
19 filed), GoSmith sent Deese at least 360 telemarketing text messages at this number, at a rate of
20 3-4 messages a day for months. This disrupted Deese's work and created an unsafe work
21 environment, as Deese had to check each message to ensure it wasn't something critical
22 relating to his job working for Union Pacific and on other critical infrastructure projects.
23 GoSmith knowingly and willfully sent these text messages using an automatic telephone
24 dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7).
25 GoSmith knowingly and willfully sent these text messages without instituting procedures that
26 meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and
27 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c),

1 GoSmith knowingly and willfully sent at least 2 text messages to Deese within a 12-month
2 period after Deese was registered on the National Do Not Call Registry, including but not
3 limited to the period between 4/28/2016 and 4/28/2017. Deese seeks an amount not less than
4 \$540,000 for at least 360 knowing and willful violations of 47 U.S.C. § 227(b), and an amount
5 not less than \$540,000 for at least 360 knowing and willful violations of 47 U.S.C. § 227(c).
6 Alternatively, Deese seeks an amount not less than \$180,000 for at least 360 negligent
7 violations of 47 U.S.C. § 227(b), and not less than \$180,000 for at least 360 negligent
8 violations of 47 U.S.C. § 227(c).

9 275. Barbara Deggans personally owns and uses the cellular phone number xxx-xxx-
10 8908. This number is a residential telephone subscription and it is Deggans's only phone
11 number. She uses her cellphone for all her personal calls and uses the same number in her
12 home-based business. She pays for it out of her personal bank account and keeps it in her room
13 at night. On 08/06/2003, Deggans registered this number on the National Do Not Call Registry.
14 Despite her longtime presence on the Do Not Call Registry, in the four years preceding
15 01/30/2020 (the date Deggans's original Complaint was filed), GoSmith sent Deggans more
16 than 2 telemarketing text messages at this number. GoSmith knowingly and willfully sent these
17 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
18 227(b)(1)(A)(iii). GoSmith knowingly and willfully sent these text messages without
19 instituting procedures that meet the minimum standards required for telemarketing in violation
20 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and
21 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to
22 Deggans within a 12-month period after Deggans was registered on the National Do Not Call
23 Registry, including but not limited to the period between 06/05/2017 and 06/05/2018. Deggans
24 seeks an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C.
25 § 227(b), and an amount not less than \$3,000 for at least 2 knowing and willful violations of 47
26 U.S.C. § 227(c). Alternatively, Deggans seeks an amount not less than \$1,000 for at least 2
27

negligent violations of 47 U.S.C. § 227(b), and \$1,000 for at least 2 negligent violations of 47 U.S.C. § 227(c).

276. Christopher DeSantis personally owns and uses the cellular phone number xxx-xxx-1382. This number is DeSantis's work number. In the four years preceding 01/30/2020 (the date DeSantis's original Complaint was filed), GoSmith sent DeSantis at least 17 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii). DeSantis seeks an amount not less than \$25,500 for at least 17 knowing and willful violations of 47 U.S.C. § 227(b). Alternatively, DeSantis seeks an amount not less than \$8,500 for at least 17 negligent violations of 47 U.S.C. § 227(b).

277. John Desider personally owns and uses the cellular phone number xxx-xxx-9529. This is Desider's personal cellphone and he makes all of his calls with it. It is with him 24/7 and he does also use this number in his home-based business. In the four years preceding 01/30/2020 (the date Desider's original Complaint was filed), GoSmith sent Desider at least 112 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Desider seeks an amount not less than \$168,000 for at least 112 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$168,000 for at least 112 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Desider seeks an amount not less than \$56,000 for at least 112 negligent violations of 47 U.S.C. § 227(b), and \$56,000 for at least 112 negligent violations of 47 U.S.C. § 227(c).

278. Anthony Desmoni personally owns and uses the cellular phone number xxx-xxx-7354. This number is a residential telephone subscription. In the four years preceding 4/27/2020 (the date Desmoni's original Complaint was filed), GoSmith sent Desmoni at least 2

1 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
2 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
3 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
4 text messages without instituting procedures that meet the minimum standards required for
5 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Desmoni seeks an
6 amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(b),
7 and an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. §
8 227(c). Alternatively, Desmoni seeks an amount not less than \$1,000 for at least 2 negligent
9 violations of 47 U.S.C. § 227(b), and not less than \$1,000 for at least 2 negligent violations of
10 47 U.S.C. § 227(c).

11 279. Byron Dickerson personally owns and uses the cellular phone number xxx-xxx-
12 7721. This number is a residential telephone subscription. On 11/3/2018, Dickerson registered
13 this number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the
14 date Dickerson's original Complaint was filed), GoSmith sent Dickerson at least 250
15 telemarketing text messages to his personal cell phone at this number. GoSmith knowingly and
16 willfully sent these text messages using an automatic telephone dialing system in violation of
17 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully
18 sent these text messages without instituting procedures that meet the minimum standards
19 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also
20 in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and
21 willfully sent at least 2 text messages to Dickerson within a 12-month period after Dickerson
22 was registered on the National Do Not Call Registry, including but not limited to the period
23 between 11/3/2018 and 11/3/2019. Dickerson seeks an amount not less than \$375,000 for at
24 least 250 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
25 \$375,000 for at least 250 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
26 Dickerson seeks an amount not less than \$125,000 for at least 250 negligent violations of 47
27

1 U.S.C. § 227(b), and not less than \$125,000 for at least 250 negligent violations of 47 U.S.C. §
2 227(c).

3 280. Bryan Diehl personally owns and uses the cellular phone number xxx-xxx-9056.
4 This number is a residential telephone subscription; however, Diehl uses this phone primarily
5 for work, taking some personal calls on this cellphone, which is on a family plan with his
6 cellular service provider. On 09/15/2005, Diehl registered this number on the National Do Not
7 Call Registry. Despite his longtime presence on the Do Not Call List, in the four years
8 preceding 01/30/2020 (the date Diehl's original Complaint was filed), GoSmith sent Diehl at
9 least 20 telemarketing text messages at this number. Defendants wasted Diehl's time dealing
10 with unwanted spam and frustrated Diehl so much that he decided to sue GoSmith to stop their
11 abuse. GoSmith knowingly and willfully sent these text messages using an automatic telephone
12 dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii). GoSmith knowingly and willfully
13 sent these text messages without instituting procedures that meet the minimum standards
14 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also
15 in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and
16 willfully sent at least 2 text messages to Diehl within a 12-month period after Diehl was
17 registered on the National Do Not Call Registry, including but not limited to the period
18 between 05/24/2017 and 08/19/2017. Diehl seeks an amount not less than \$30,000 for at least
19 20 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$30,000
20 for at least 20 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Diehl seeks
21 an amount not less than \$10,000 for at least 20 negligent violations of 47 U.S.C. § 227(b), and
22 \$10,000 for at least 20 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Diehl
23 at least 20 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090,
24 80.36.400, and an undetermined number of telephone solicitations in violation of RCW §
25 80.36.390, for which Diehl seeks an amount not less than \$10,000, attorney's fees, injunctive
26 relief, and treble damages.
27

281. Paul DiGiovanni personally owns and uses the cellular phone number xxx-xxx-3551. This number is a residential telephone subscription that was DiGiovanni's only cellphone and his only telephone number, which was his personal cellphone until September 2018. Up until September 2018, DiGiovanni used this number for all of his personal calls, kept it with him at all times, and charged it at night in his home. He paid for this service through his personal bank account. In the four years preceding 4/29/2020 (the date DiGiovanni's original Complaint was filed), GoSmith sent DiGiovanni at least 20 telemarketing text messages at this number, all within a period of two months. This led DiGiovanni to purchase a new phone with a new number for his personal use, simply because he could not avoid the constant spamming of his personal cellphone. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). DiGiovanni seeks an amount not less than \$30,000 for at least 20 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$30,000 for at least 20 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, DiGiovanni seeks an amount not less than \$10,000 for at least 20 negligent violations of 47 U.S.C. § 227(b), and not less than \$10,000 for at least 20 negligent violations of 47 U.S.C. § 227(c).

282. Nicholas DiGiuseppe personally owns and uses the cellular phone number xxx-xxx-7110. This number is a residential telephone subscription and is DiGiuseppe's only phone. It is a cellphone and DiGiuseppe uses it to make all his personal calls. He keeps it with him during the day and charges it in his room at night. In the four years preceding 4/28/2020 (the date DiGiuseppe's original Complaint was filed), GoSmith sent DiGiuseppe at least 312 telemarketing text messages at this number, at least one to two messages a day. The harassment went on for over a year, and DiGiuseppe complained to wife about GoSmith's texts. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system

1 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith
 2 knowingly and willfully sent these text messages without instituting procedures that meet the
 3 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
 4 § 64.1200(d). DiGiuseppe seeks an amount not less than \$468,000 for at least 312 knowing and
 5 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$468,000 for at least 312
 6 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, DiGiuseppe seeks an
 7 amount not less than \$156,000 for at least 312 negligent violations of 47 U.S.C. § 227(b), and
 8 not less than \$156,000 for at least 312 negligent violations of 47 U.S.C. § 227(c).

9 283. Lonnie Dillman personally owns and uses the cellular phone number xxx-xxx-
 10 2256. This number is a residential telephone subscription. In the four years preceding
 11 4/22/2020 (the date Dillman's original Complaint was filed), GoSmith sent Dillman at least 48
 12 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
 13 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
 14 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
 15 text messages without instituting procedures that meet the minimum standards required for
 16 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Dillman seeks an
 17 amount not less than \$72,000 for at least 48 knowing and willful violations of 47 U.S.C. §
 18 227(b), and an amount not less than \$72,000 for at least 48 knowing and willful violations of
 19 47 U.S.C. § 227(c). Alternatively, Dillman seeks an amount not less than \$24,000 for at least
 20 48 negligent violations of 47 U.S.C. § 227(b), and not less than \$24,000 for at least 48
 21 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Dillman at least 48
 22 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an
 23 undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which
 24 Dillman seeks an amount not less than \$24,000, attorney's fees, injunctive relief, and treble
 25 damages.

26 284. David Dilmore personally owns and uses the cellular phone number xxx-xxx-
 27 6178. This number is a residential telephone subscription and it is his only phone. Dilmore

1 makes all his personal calls with this phone, carries it with him, and charges it in his home. On
2 11/26/2008, Dilmore registered this number on the National Do Not Call Registry. In the four
3 years preceding 01/30/2020 (the date Dilmore's original Complaint was filed), GoSmith sent
4 Dilmore at least 13 telemarketing text messages at this number. GoSmith knowingly and
5 willfully sent these text messages using an automatic telephone dialing system in violation of
6 47 U.S.C. § 227(b)(1)(A)(iii). GoSmith knowingly and willfully sent these text messages
7 without instituting procedures that meet the minimum standards required for telemarketing in
8 violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. §
9 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text
10 messages to Dilmore within a 12-month period after Dilmore was registered on the National
11 Do Not Call Registry, including but not limited to the period between 06/16/2017 and
12 06/22/2017. Dilmore seeks an amount not less than \$19,500 for at least 13 knowing and willful
13 violations of 47 U.S.C. § 227(b), and an amount not less than \$19,500 for at least 13 knowing
14 and willful violations of 47 U.S.C. § 227(c). Alternatively, Dilmore seeks an amount not less
15 than \$6,500 for at least 13 negligent violations of 47 U.S.C. § 227(b), and \$6,500 for at least 13
16 negligent violations of 47 U.S.C. § 227(c).

17 285. Keegan Dinehart personally owns and uses the cellular phone number xxx-xxx-
18 6861. This number is a residential telephone subscription. In the four years preceding
19 01/30/2020 (the date Dinehart's original Complaint was filed), GoSmith sent Dinehart at least
20 12 telemarketing text messages at this number. GoSmith knowingly and willfully sent these
21 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
22 227(b)(1)(A)(iii). GoSmith knowingly and willfully sent these text messages without
23 instituting procedures that meet the minimum standards required for telemarketing in violation
24 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Dinehart seeks an amount not less than
25 \$18,000 for at least 12 knowing and willful violations of 47 U.S.C. § 227(b), and an amount
26 not less than \$18,000 for at least 12 knowing and willful violations of 47 U.S.C. § 227(c).

27 Alternatively, Dinehart seeks an amount not less than \$6,000 for at least 12 negligent

1 violations of 47 U.S.C. § 227(b), and \$6,000 for at least 12 negligent violations of 47 U.S.C. §
2 227(c).

3 286. Dustin Diteman personally owns and uses the cellular phone number xxx-xxx-
4 0477. This number is a residential telephone subscription and is Diteman's only phone. He uses
5 this number for all his personal calls, carries the phone on him the majority of the time, and
6 charges it at night in his home. It is registered in his personal name under an individual or
7 family plan with his cellular service provider, and Diteman pays for it out of his personal bank
8 account. In the four years preceding 4/24/2020 (the date Diteman's original Complaint was
9 filed), GoSmith sent Diteman at least 46 telemarketing text messages at this number. Diteman
10 found the texts very annoying and was forced to drop what he was doing to deal with the texts
11 and try to stop them. GoSmith knowingly and willfully sent these text messages using an
12 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
13 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
14 procedures that meet the minimum standards required for telemarketing in violation of 47
15 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Diteman seeks an amount not less than \$69,000
16 for at least 46 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less
17 than \$69,000 for at least 46 knowing and willful violations of 47 U.S.C. § 227(c).

18 Alternatively, Diteman seeks an amount not less than \$23,000 for at least 46 negligent
19 violations of 47 U.S.C. § 227(b), and not less than \$23,000 for at least 46 negligent violations
20 of 47 U.S.C. § 227(c).

21 287. Andy Ditz personally owns and uses the cellular phone number xxx-xxx-4200.
22 This number is a residential telephone subscription. In the four years preceding 1/30/2020 (the
23 date Ditz's original Complaint was filed), GoSmith sent Ditz at least 6 telemarketing text
24 messages at this number. GoSmith knowingly and willfully sent these text messages using an
25 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
26 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
27 procedures that meet the minimum standards required for telemarketing in violation of 47

1 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Ditz seeks an amount not less than \$9,000 for at
2 least 6 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
3 \$9,000 for at least 6 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Ditz
4 seeks an amount not less than \$3,000 for at least 6 negligent violations of 47 U.S.C. § 227(b),
5 and not less than \$3,000 for at least 6 negligent violations of 47 U.S.C. § 227(c).

6 288. Kristopher Dixon personally owns and uses the cellular phone number xxx-xxx-
7 0676. This number is a residential telephone subscription and is Dixon's only phone. This
8 cellphone is the phone he makes all his personal calls with. In the four years preceding
9 1/30/2020 (the date Dixon's original Complaint was filed), GoSmith sent Dixon at least 88
10 telemarketing text messages at this number. Upon information and belief, the actual number of
11 messages is much higher. There were times when Dixon received as many as five text
12 messages a day from GoSmith, for weeks at a time. GoSmith knowingly and willfully sent
13 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
14 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
15 text messages without instituting procedures that meet the minimum standards required for
16 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Dixon seeks an
17 amount not less than \$132,000 for at least 88 knowing and willful violations of 47 U.S.C. §
18 227(b), and an amount not less than \$132,000 for at least 88 knowing and willful violations of
19 47 U.S.C. § 227(c). Alternatively, Dixon seeks an amount not less than \$44,000 for at least 88
20 negligent violations of 47 U.S.C. § 227(b), and not less than \$44,000 for at least 88 negligent
21 violations of 47 U.S.C. § 227(c).

22 289. Reed Dkaidek personally owns and uses the cellular phone number xxx-xxx-
23 3011. This number is a residential telephone subscription. On 8/18/2005, Dkaidek registered
24 this number on the National Do Not Call Registry. In the four years preceding 4/22/2020 (the
25 date Dkaidek's original Complaint was filed), GoSmith sent Dkaidek at least 2 telemarketing
26 text messages at this number. GoSmith knowingly and willfully sent these text messages using
27 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47

1 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
2 instituting procedures that meet the minimum standards required for telemarketing in violation
3 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and
4 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to
5 Dkaidek within a 12-month period after Dkaidek was registered on the National Do Not Call
6 Registry, including but not limited to the period between 2/7/2017 and 2/7/2018. Dkaidek
7 seeks an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C.
8 § 227(b), and an amount not less than \$3,000 for at least 2 knowing and willful violations of 47
9 U.S.C. § 227(c). Alternatively, Dkaidek seeks an amount not less than \$1,000 for at least 2
10 negligent violations of 47 U.S.C. § 227(b), and not less than \$1,000 for at least 2 negligent
11 violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Dkaidek at least 2 commercial text
12 messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined
13 number of telephone solicitations in violation of RCW § 80.36.390, for which Dkaidek seeks
14 an amount not less than \$1,000, attorney's fees, injunctive relief, and treble damages.

15 290. Raymond Dodge Jr personally owns and uses the cellular phone number xxx-xxx-
16 0944. This number is a residential telephone subscription and is Dodge's personal cellphone,
17 on which he makes his personal calls. On 10/11/2009, Dodge Jr registered this number on the
18 National Do Not Call Registry. Despite his longtime presence on the Do Not Call List, in the
19 four years preceding 4/27/2020 (the date Dodge Jr's original Complaint was filed), GoSmith
20 sent at least 456 telemarketing text messages and telemarketing phone calls to Dodge's
21 personal cell phone at this number. GoSmith would use an autodialer to call Dodge while he
22 was on a call with customer, which sometimes caused Dodge to lose the original call when he
23 answered GoSmith's calls. Sometimes GoSmith kept Dodge on hold for over an hour or more
24 while he attempted to have them remove his number from their internal do not call list.
25 GoSmith's live agents were very pushy. Every time he spoke with them, Dodge told them he
26 wasn't interested, but GoSmith kept texting and calling him, harassing him nearly daily.

27 GoSmith would call and text between 2-6 times per week, and Dodge estimates that they cost

him hundreds of hours of lost productivity. GoSmith finally stopped harassing Dodge when he filed this suit against them. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Dodge Jr within a 12-month period after Dodge Jr was registered on the National Do Not Call Registry, including but not limited to the period between 3/3/2017 and 3/3/2018. Dodge Jr seeks an amount not less than \$684,000 for at least 456 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$684,000 for at least 456 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Dodge Jr seeks an amount not less than \$228,000 for at least 456 negligent violations of 47 U.S.C. § 227(b), and not less than \$228,000 for at least 456 negligent violations of 47 U.S.C. § 227(c).

291. Michael Doherty personally owns and uses the cellular phone number xxx-xxx-2468. This number is Doherty's personal, residential telephone subscription that Doherty has used in a home-based business. Doherty was a resident of Alaska at the time of these events, although he has since moved to Pennsylvania. In the four years preceding 4/30/2020 (the date Doherty's original Complaint was filed), Defendants knowingly sent at least 29 telemarketing text messages to Doherty at this number, without first obtaining Doherty's prior express consent in any form. On information and belief, the actual number of violations is much higher. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Doherty seeks an amount not less than \$43,500 for at least 29 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less

1 than \$43,500 for at least 29 knowing and willful violations of 47 U.S.C. § 227(c).

2 Alternatively, Doherty seeks an amount not less than \$14,500 for at least 29 negligent
3 violations of 47 U.S.C. § 227(b), and not less than \$14,500 for at least 29 negligent violations
4 of 47 U.S.C. § 227(c).

5 292. Michael Doran personally owns and uses the cellular phone number xxx-xxx-
6 3212. This number is a residential telephone subscription and is on a personal plan with
7 Doran's cellular service provider. This is Doran's only phone and the phone with which he
8 makes all his personal calls. He keeps the phone with him and charges it at home, but uses it
9 for some mixed home-based business use as well. On 8/31/2003, Doran registered this number
10 on the National Do Not Call Registry. Despite his personal phone number's longtime presence
11 on the Do Not Call Registry, in the four years preceding 4/24/2020 (the date Doran's original
12 Complaint was filed), GoSmith sent Doran at least 17 telemarketing text messages at this
13 number. GoSmith knowingly and willfully sent these text messages using an automatic
14 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
15 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
16 procedures that meet the minimum standards required for telemarketing in violation of 47
17 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
18 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Doran
19 within a 12-month period after Doran was registered on the National Do Not Call Registry,
20 including but not limited to the period between 4/24/2016 and 4/24/2017. Doran seeks an
21 amount not less than \$25,500 for at least 17 knowing and willful violations of 47 U.S.C. §
22 227(b), and an amount not less than \$25,500 for at least 17 knowing and willful violations of
23 47 U.S.C. § 227(c). Alternatively, Doran seeks an amount not less than \$8,500 for at least 17
24 negligent violations of 47 U.S.C. § 227(b), and not less than \$8,500 for at least 17 negligent
25 violations of 47 U.S.C. § 227(c).

26 293. David Dorsette personally owns and uses the cellular phone number xxx-xxx-
27 3757. This number is a residential telephone subscription and is Dorsette's only phone. He uses

1 this phone for all his personal calls and keeps it with him, charging it in his room at night. He
2 pays for it out of his personal account. On 04/28/2007, Dorsette registered this number on the
3 National Do Not Call Registry. In the four years preceding 01/30/2020 (the date Dorsette's
4 original Complaint was filed), GoSmith sent Dorsette at least 60 telemarketing text messages at
5 this number. Upon information and belief, the actual number of violations is much, much
6 higher. For example, in just one six-week period, Defendants texted Dorsette multiple times a
7 day, despite Dorsette's urgent efforts to get GoSmith to stop sending the messages. GoSmith
8 knowingly and willfully sent these text messages using an automatic telephone dialing system
9 in violation of 47 U.S.C. § 227(b)(1)(A)(iii). GoSmith knowingly and willfully sent these text
10 messages without instituting procedures that meet the minimum standards required for
11 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
12 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
13 least 2 text messages to Dorsette within a 12-month period after Dorsette was registered on the
14 National Do Not Call Registry, including but not limited to the period between 06/15/2017 and
15 07/27/2017. Dorsette seeks an amount not less than \$90,000 for at least 60 knowing and willful
16 violations of 47 U.S.C. § 227(b), and an amount not less than \$90,000 for at least 60 knowing
17 and willful violations of 47 U.S.C. § 227(c). Alternatively, Dorsette seeks an amount not less
18 than \$30,000 for at least 60 negligent violations of 47 U.S.C. § 227(b), and \$30,000 for at least
19 60 negligent violations of 47 U.S.C. § 227(c).

20 294. Gregory Douglas personally owns and uses the cellular phone number xxx-xxx-
21 6010. This number is Douglas's personal cellphone and is the only phone he uses to make all
22 his personal calls. He carries it with him at all times and charges it in his room at night. He also
23 uses this phone for work calls with his home-based business, although the business has 3 other
24 dedicated lines. On 9/8/2018, Douglas registered this number on the National Do Not Call
25 Registry. In the four years preceding 4/28/2020 (the date Douglas's original Complaint was
26 filed), GoSmith sent Douglas at least 12 telemarketing text messages at this number. GoSmith
27 knowingly and willfully sent these text messages using an automatic telephone dialing system

1 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith
2 knowingly and willfully sent these text messages without instituting procedures that meet the
3 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
4 § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith
5 knowingly and willfully sent at least 2 text messages to Douglas within a 12-month period after
6 Douglas was registered on the National Do Not Call Registry, including but not limited to the
7 period between 9/8/2018 and 9/8/2019. Douglas seeks an amount not less than \$18,000 for at
8 least 12 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
9 \$18,000 for at least 12 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
10 Douglas seeks an amount not less than \$6,000 for at least 12 negligent violations of 47 U.S.C.
11 § 227(b), and not less than \$6,000 for at least 12 negligent violations of 47 U.S.C. § 227(c).

12 295. Eric Dowells personally owns and uses the cellular phone number xxx-xxx-2946.
13 This number is a residential telephone subscription. In the four years preceding 4/28/2020 (the
14 date Dowells's original Complaint was filed), GoSmith sent Dowells at least 13 telemarketing
15 text messages at this number. GoSmith knowingly and willfully sent these text messages using
16 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
17 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
18 instituting procedures that meet the minimum standards required for telemarketing in violation
19 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Dowells seeks an amount not less than
20 \$19,500 for at least 13 knowing and willful violations of 47 U.S.C. § 227(b), and an amount
21 not less than \$19,500 for at least 13 knowing and willful violations of 47 U.S.C. § 227(c).
22 Alternatively, Dowells seeks an amount not less than \$6,500 for at least 13 negligent violations
23 of 47 U.S.C. § 227(b), and not less than \$6,500 for at least 13 negligent violations of 47 U.S.C.
24 § 227(c).

25 296. Michael Doyle personally owns and uses the cellular phone number xxx-xxx-
26 0444. This number is a residential telephone subscription. On 12/8/2010, Doyle registered this
27 number on the National Do Not Call Registry. In the four years preceding 4/28/2020 (the date

1 Doyle's original Complaint was filed), GoSmith sent Doyle at least 2 telemarketing text
2 messages at this number. GoSmith knowingly and willfully sent these text messages using an
3 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
4 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
5 procedures that meet the minimum standards required for telemarketing in violation of 47
6 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
7 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Doyle
8 within a 12-month period after Doyle was registered on the National Do Not Call Registry,
9 including but not limited to the period between 7/11/2017 and 7/11/2018. Doyle seeks an
10 amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(b),
11 and an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. §
12 227(c). Alternatively, Doyle seeks an amount not less than \$1,000 for at least 2 negligent
13 violations of 47 U.S.C. § 227(b), and not less than \$1,000 for at least 2 negligent violations of
14 47 U.S.C. § 227(c).

15 297. Valerie Drake personally owns and uses the cellular phone number xxx-xxx-7102.
16 This number is a residential telephone subscription and is Ms. Drake's only phone. On
17 2/6/2006, Drake registered this number on the National Do Not Call Registry. Despite her
18 longtime presence on the Do Not Call List, in the four years preceding 4/29/2020 (the date
19 Drake's original Complaint was filed), GoSmith sent Drake at least 686 telemarketing text
20 messages and phone calls at this number, at least 15 calls a week and sometimes more. When
21 Drake answered the calls, GoSmith refused to end the calls even when she disclaimed any
22 interest in their products and services. GoSmith harassed Drake to the point where she felt she
23 had to be rude to end the call. GoSmith used an ATDS to spoof numbers from Drake's contact
24 list and from local area codes to trick her into answering. GoSmith knowingly and willfully
25 sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C.
26 § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
27 text messages without instituting procedures that meet the minimum standards required for

1 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
2 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
3 least 2 text messages to Drake within a 12-month period after Drake was registered on the
4 National Do Not Call Registry, including but not limited to the period between 4/29/2016 and
5 4/29/2017. Drake seeks an amount not less than \$1,029,000 for at least 686 knowing and
6 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$1,029,000 for at least
7 686 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Drake seeks an
8 amount not less than \$343,000 for at least 686 negligent violations of 47 U.S.C. § 227(b), and
9 not less than \$343,000 for at least 686 negligent violations of 47 U.S.C. § 227(c).

10 298. Russell Dregne personally owns and uses the cellular phone number xxx-xxx-
11 2461. This number is a residential telephone subscription that is Dregne's only phone. He uses
12 this phone for all his personal calls and pays for it out of his personal account. He keeps it with
13 him and charges it in his home at night. In the four years preceding 4/28/2020 (the date
14 Dregne's original Complaint was filed), GoSmith sent Dregne at least 5 telemarketing text
15 messages at this number. GoSmith knowingly and willfully sent these text messages using an
16 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
17 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
18 procedures that meet the minimum standards required for telemarketing in violation of 47
19 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Dregne seeks an amount not less than \$7,500 for
20 at least 5 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
21 \$7,500 for at least 5 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
22 Dregne seeks an amount not less than \$2,500 for at least 5 negligent violations of 47 U.S.C. §
23 227(b), and not less than \$2,500 for at least 5 negligent violations of 47 U.S.C. § 227(c).

24 299. David Drennen personally owns and uses the cellular phone number xxx-xxx-
25 5849. This number is a residential telephone subscription and is Drennan's personal cellphone,
26 with which he makes all his personal calls. In the four years preceding 01/30/2020 (the date
27 Drennen's original Complaint was filed), GoSmith sent Drennen at this number at least 2

1 telemarketing text messages per day for almost two years. GoSmith knowingly and willfully
2 sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C.
3 § 227(b)(1)(A)(iii). GoSmith knowingly and willfully sent these text messages without
4 instituting procedures that meet the minimum standards required for telemarketing in violation
5 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Drennen seeks an amount not less than
6 \$1,689,000 for at least 1,126 knowing and willful violations of 47 U.S.C. § 227(b), and an
7 amount not less than \$1,689,000 for at least 1,126 knowing and willful violations of 47 U.S.C.
8 § 227(c). Alternatively, Drennen seeks an amount not less than \$563,000 for at least 1,126
9 negligent violations of 47 U.S.C. § 227(b), and \$563,000 for at least 1,126 negligent violations
10 of 47 U.S.C. § 227(c).

11 300. Leonel Duarte personally owns and uses the cellular phone number xxx-xxx-
12 9155. This number is a residential telephone subscription. In the four years preceding
13 4/22/2020 (the date Duarte's original Complaint was filed), GoSmith sent Duarte at least 58
14 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
15 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
16 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
17 text messages without instituting procedures that meet the minimum standards required for
18 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Duarte seeks an
19 amount not less than \$87,000 for at least 58 knowing and willful violations of 47 U.S.C. §
20 227(b), and an amount not less than \$87,000 for at least 58 knowing and willful violations of
21 47 U.S.C. § 227(c). Alternatively, Duarte seeks an amount not less than \$29,000 for at least 58
22 negligent violations of 47 U.S.C. § 227(b), and not less than \$29,000 for at least 58 negligent
23 violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Duarte at least 58 commercial text
24 messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined
25 number of telephone solicitations in violation of RCW § 80.36.390, for which Duarte seeks an
26 amount not less than \$29,000, attorney's fees, injunctive relief, and treble damages.
27

301. Roni Duncan-Brown personally owns and uses the cellular phone number xxx-xxx-6315. This number is a residential telephone subscription that is Duncan-Brown's only phone. Duncan-Brown uses this cellphone for all personal calls and occasionally for home-based business calls. On 04/10/2015, Duncan-Brown registered this number on the National Do Not Call Registry. In the four years preceding 01/30/2020 (the date Duncan-Brown's original Complaint was filed), GoSmith sent Duncan-Brown at least 2 telemarketing text messages per month at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Duncan-Brown within a 12-month period after Duncan-Brown was registered on the National Do Not Call Registry, including but not limited to the period between 05/16/2017 and 05/16/2018. Duncan-Brown seeks an amount not less than \$99,000 for at least 66 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$99,000 for at least 66 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Duncan-Brown seeks an amount not less than \$33,000 for at least 66 negligent violations of 47 U.S.C. § 227(b), and \$33,000 for at least 66 negligent violations of 47 U.S.C. § 227(c).

302. Rachael Dunn personally owns and uses the cellular phone number xxx-xxx-3356. This number is a residential telephone subscription and is Dunn's only phone. She makes all her personal calls with this phone, pays for it out of her personal bank account, keeps it with her at all times, and charges it at night in her room. It is a personal or family plan with her cellular service provider. She also uses it for calls with her home-based business. In the four years preceding 4/28/2020 (the date Dunn's original Complaint was filed), GoSmith sent Dunn at least 131 telemarketing text messages and phone calls at this number, contacting her several times a week. GoSmith knowingly and willfully sent these text messages using an automatic

1 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
2 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
3 procedures that meet the minimum standards required for telemarketing in violation of 47
4 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Dunn seeks an amount not less than \$196,000 for
5 at least 131 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
6 \$196,000 for at least 131 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
7 Dunn seeks an amount not less than \$65,333 for at least 131 negligent violations of 47 U.S.C. §
8 227(b), and not less than \$65,333 for at least 131 negligent violations of 47 U.S.C. § 227(c).

9 303. David Dunn personally owns and uses the cellular phone number xxx-xxx-0202.
10 This number is a residential telephone subscription. On 7/17/2013, Dunn registered this
11 number on the National Do Not Call Registry. In the four years preceding 4/22/2020 (the date
12 Dunn's original Complaint was filed), GoSmith sent Dunn at least 58 telemarketing text
13 messages and calls to his cellphone at this number. Dunn responded to each text and call by
14 stating "Not interested" and "Who is this?" Dunn never received a response to his questions
15 and the unsolicited and harassing sales calls and texts continued. GoSmith knowingly and
16 willfully sent these text messages and phone calls using an automatic telephone dialing system
17 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith
18 knowingly and willfully sent these text messages and phone calls without instituting
19 procedures that meet the minimum standards required for telemarketing in violation of 47
20 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
21 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Dunn
22 within a 12-month period after Dunn was registered on the National Do Not Call Registry,
23 including but not limited to the period between 4/22/2016 and 4/22/2017. Dunn seeks an
24 amount not less than \$87,000 for at least 58 knowing and willful violations of 47 U.S.C. §
25 227(b), and an amount not less than \$87,000 for at least 58 knowing and willful violations of
26 47 U.S.C. § 227(c). Alternatively, Dunn seeks an amount not less than \$29,000 for at least 58
27

1 negligent violations of 47 U.S.C. § 227(b), and not less than \$29,000 for at least 58 negligent
2 violations of 47 U.S.C. § 227(c).

3 304. Chad Dunn personally owns and uses the cellular phone number xxx-xxx-6031.
4 This number is a residential telephone subscription and is Dunn's personal cell phone, paid for
5 out of his personal bank account and used for all his personal calls. In the four years preceding
6 4/22/2020 (the date Dunn's original Complaint was filed), GoSmith sent Dunn at least 8
7 telemarketing text messages at this number, all within a matter of a week or two. GoSmith
8 knowingly and willfully sent these text messages using an automatic telephone dialing system
9 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith
10 knowingly and willfully sent these text messages without instituting procedures that meet the
11 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
12 § 64.1200(d). Dunn seeks an amount not less than \$12,000 for at least 8 knowing and willful
13 violations of 47 U.S.C. § 227(b), and an amount not less than \$12,000 for at least 8 knowing
14 and willful violations of 47 U.S.C. § 227(c). Alternatively, Dunn seeks an amount not less than
15 \$4,000 for at least 8 negligent violations of 47 U.S.C. § 227(b), and not less than \$4,000 for at
16 least 8 negligent violations of 47 U.S.C. § 227(c).

17 305. Kelly Dunnagan personally owns and uses the cellular phone number xxx-xxx-
18 9081. This number is a residential telephone subscription. In the four years preceding
19 4/28/2020 (the date Dunnagan's original Complaint was filed), GoSmith sent Dunnagan at least
20 1,342 telemarketing text messages at this number. GoSmith knowingly and willfully sent these
21 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
22 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
23 text messages without instituting procedures that meet the minimum standards required for
24 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Dunnagan seeks
25 an amount not less than \$2,013,000 for at least 1,342 knowing and willful violations of 47
26 U.S.C. § 227(b), and an amount not less than \$2,013,000 for at least 1,342 knowing and willful
27 violations of 47 U.S.C. § 227(c). Alternatively, Dunnagan seeks an amount not less than

1 \$671,000 for at least 1,342 negligent violations of 47 U.S.C. § 227(b), and not less than
2 \$671,000 for at least 1,342 negligent violations of 47 U.S.C. § 227(c).

3 306. Dennis Dupuis personally owns and uses the cellular phone number xxx-xxx-
4 3657. This number is a cellphone. On 12/10/2004, Dupuis registered this number on the
5 National Do Not Call Registry. However, now he only uses this number for business and has a
6 separate cellular number for his personal calls. In the four years preceding 4/29/2020 (the date
7 Dupuis's original Complaint was filed), GoSmith sent Dupuis at least 19 telemarketing text
8 messages at this number. On information and belief, the actual number of violations is much
9 higher, as Dupuis tried to get GoSmith's texts to stop, which only seemed to spur more
10 solicitations and texts from GoSmith. The texts were bothersome and a great source of
11 frustration to Dupuis. GoSmith knowingly and willfully sent these text messages using an
12 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
13 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
14 procedures that meet the minimum standards required for telemarketing in violation of 47
15 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Dupuis seeks an amount not less than \$28,500 for
16 at least 19 knowing and willful violations of 47 U.S.C. § 227(b). Alternatively, Dupuis seeks
17 an amount not less than \$9,500 for at least 19 negligent violations of 47 U.S.C. § 227(b).

18 307. Jamus Duran personally owns and uses the cellular phone number xxx-xxx-7509.
19 This number is a residential telephone subscription. In the four years preceding 4/28/2020 (the
20 date Duran's original Complaint was filed), GoSmith sent Duran at least 6 telemarketing text
21 messages at this number. GoSmith knowingly and willfully sent these text messages using an
22 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
23 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
24 procedures that meet the minimum standards required for telemarketing in violation of 47
25 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Duran seeks an amount not less than \$9,000 for at
26 least 6 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
27 \$9,000 for at least 6 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Duran

1 seeks an amount not less than \$3,000 for at least 6 negligent violations of 47 U.S.C. § 227(b),
 2 and not less than \$3,000 for at least 6 negligent violations of 47 U.S.C. § 227(c).

3 308. Izai Torralba Duran personally owns and uses the cellular phone number xxx-
 4 xxx-0500. This number is a residential telephone subscription. In the four years preceding
 5 4/22/2020 (the date Duran's original Complaint was filed), GoSmith sent Duran at least 5
 6 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
 7 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
 8 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
 9 text messages without instituting procedures that meet the minimum standards required for
 10 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Duran seeks an
 11 amount not less than \$7,500 for at least 5 knowing and willful violations of 47 U.S.C. § 227(b),
 12 and an amount not less than \$7,500 for at least 5 knowing and willful violations of 47 U.S.C. §
 13 227(c). Alternatively, Duran seeks an amount not less than \$2,500 for at least 5 negligent
 14 violations of 47 U.S.C. § 227(b), and not less than \$2,500 for at least 5 negligent violations of
 15 47 U.S.C. § 227(c). Finally, GoSmith sent Duran at least 5 commercial text messages in
 16 violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of
 17 telephone solicitations in violation of RCW § 80.36.390, for which Duran seeks an amount not
 18 less than \$2,500, attorney's fees, injunctive relief, and treble damages.

19 309. Daniel Durante personally owns and uses the cellular phone number xxx-xxx-
 20 2361. This number is a residential telephone subscription and is Durante's personal cell phone.
 21 It is his only phone and the phone he uses in all his personal calls with family and friends and
 22 for personal matters. He pays for it out of his personal account and charges it by his bed at
 23 night. In the four years preceding 4/29/2020 (the date Durante's original Complaint was filed),
 24 GoSmith sent Durante at least 4 telemarketing text messages at this number. GoSmith
 25 knowingly and willfully sent these text messages using an automatic telephone dialing system
 26 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith
 27 knowingly and willfully sent these text messages without instituting procedures that meet the

1 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
2 § 64.1200(d). Durante seeks an amount not less than \$6,000 for at least 4 knowing and willful
3 violations of 47 U.S.C. § 227(b), and an amount not less than \$6,000 for at least 4 knowing and
4 willful violations of 47 U.S.C. § 227(c). Alternatively, Durante seeks an amount not less than
5 \$2,000 for at least 4 negligent violations of 47 U.S.C. § 227(b), and not less than \$2,000 for at
6 least 4 negligent violations of 47 U.S.C. § 227(c).

7 310. Cortney Durbin personally owns and uses the cellular phone number xxx-xxx-
8 8708. This number is a residential telephone subscription and Durbin's personal cellphone,
9 which he uses in his home-based business. In the four years preceding 4/22/2020 (the date
10 Durbin's original Complaint was filed), GoSmith sent Durbin at least 184 telemarketing text
11 messages to Durbin's cellphone at this number, multiple times per week. No amount of
12 requesting to be removed from their contact list produced results. GoSmith knowingly and
13 willfully sent these text messages using an automatic telephone dialing system in violation of
14 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully
15 sent these text messages without instituting procedures that meet the minimum standards
16 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d).
17 Durbin seeks an amount not less than \$276,000 for at least 184 knowing and willful violations
18 of 47 U.S.C. § 227(b), and an amount not less than \$276,000 for at least 184 knowing and
19 willful violations of 47 U.S.C. § 227(c). Alternatively, Durbin seeks an amount not less than
20 \$92,000 for at least 184 negligent violations of 47 U.S.C. § 227(b), and not less than \$92,000
21 for at least 184 negligent violations of 47 U.S.C. § 227(c).

22 311. Elizabeth Durgin personally owns and uses the cellular phone number xxx-xxx-
23 5539. This number is a residential telephone subscription. In the four years preceding
24 4/21/2020 (the date Durgin's original Complaint was filed), GoSmith sent Durgin at least 54
25 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
26 messages using an automatic telephone dialing system in violation of 47 U.S.C.

27 227(b)(1)(A)(iii) and 47 C.F.R. 64.1200(a)(7). GoSmith knowingly and willfully sent these

1 text messages without instituting procedures that meet the minimum standards required for
2 telemarketing in violation of 47 U.S.C. 227(c) and 47 C.F.R. 64.1200(d). Durgin seeks an
3 amount not less than \$81,000 for at least 54 knowing and willful violations of 47 U.S.C.
4 227(b), and an amount not less than \$81,000 for at least 54 knowing and willful violations of
5 47 U.S.C. 227(c). Alternatively, Durgin seeks an amount not less than \$27,000 for at least 54
6 negligent violations of 47 U.S.C. 227(b), and not less than \$27,000 for at least 54 negligent
7 violations of 47 U.S.C. 227(c).

8 312. Wade Dwiggins personally owns and uses the cellular phone number xxx-xxx-
9 5969. This number is a residential telephone subscription. In the four years preceding
10 1/30/2020 (the date Dwiggins's original Complaint was filed), GoSmith sent Dwiggins , at this
11 number, at least 2-3 telemarketing text messages a week, for months. GoSmith knowingly and
12 willfully sent these text messages using an automatic telephone dialing system in violation of
13 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully
14 sent these text messages without instituting procedures that meet the minimum standards
15 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d).
16 Dwiggins seeks an amount not less than \$240,000 for at least 160 knowing and willful
17 violations of 47 U.S.C. § 227(b), and an amount not less than \$240,000 for at least 160
18 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Dwiggins seeks an amount
19 not less than \$80,000 for at least 160 negligent violations of 47 U.S.C. § 227(b), and not less
20 than \$80,000 for at least 160 negligent violations of 47 U.S.C. § 227(c).

21 313. Derek Edenshaw personally owns and uses the cellular phone number xxx-xxx-
22 0456. This number is a residential telephone subscription. In the four years preceding
23 4/30/2020 (the date Edenshaw's original Complaint was filed), GoSmith sent Edenshaw at least
24 537 telemarketing text messages at this number. GoSmith knowingly and willfully sent these
25 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
26 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
27 text messages without instituting procedures that meet the minimum standards required for

1 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Edenshaw seeks
2 an amount not less than \$805,500 for at least 537 knowing and willful violations of 47 U.S.C. §
3 227(b), and an amount not less than \$805,500 for at least 537 knowing and willful violations of
4 47 U.S.C. § 227(c). Alternatively, Edenshaw seeks an amount not less than \$268,500 for at
5 least 537 negligent violations of 47 U.S.C. § 227(b), and not less than \$268,500 for at least 537
6 negligent violations of 47 U.S.C. § 227(c).

7 314. Carey Edler personally owns and uses the cellular phone number xxx-xxx-0930.
8 This number is a residential telephone subscription that is Edler's personal cellphone. It is on a
9 family plan and Edler uses it for all his personal calls. He pays for it out of his personal bank
10 account. On 1/12/2008, Edler registered this number on the National Do Not Call Registry. In
11 the four years preceding 4/22/2020 (the date Edler's original Complaint was filed), GoSmith
12 sent Edler at least 135 telemarketing text messages at this number, sending several texts per
13 day and sometimes more than one in a single day. GoSmith knowingly and willfully sent these
14 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
15 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
16 text messages without instituting procedures that meet the minimum standards required for
17 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
18 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
19 least 2 text messages to Edler within a 12-month period after Edler was registered on the
20 National Do Not Call Registry, including but not limited to the period between 5/5/2016 and
21 5/5/2017. Edler seeks an amount not less than \$202,500 for at least 135 knowing and willful
22 violations of 47 U.S.C. § 227(b), and an amount not less than \$202,500 for at least 135
23 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Edler seeks an amount not
24 less than \$67,500 for at least 135 negligent violations of 47 U.S.C. § 227(b), and not less than
25 \$67,500 for at least 135 negligent violations of 47 U.S.C. § 227(c).

26 315. Jason Ellery personally owns and uses the cellular phone number xxx-xxx-4047.
27 This number is a residential telephone subscription and is Ellery's personal cell phone. He uses

1 it to make all his personal calls and pays for it out of his personal account. He carries it with
 2 him and charges it by his bed at night. On 06/27/2008, Ellery registered this number on the
 3 National Do Not Call Registry. In the four years preceding 01/30/2020 (the date Ellery's
 4 original Complaint was filed), GoSmith sent Ellery at least 11 telemarketing text messages at
 5 this number. GoSmith knowingly and willfully sent these text messages using an automatic
 6 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii). GoSmith knowingly and
 7 willfully sent these text messages without instituting procedures that meet the minimum
 8 standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. §
 9 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith
 10 knowingly and willfully sent at least 2 text messages to Ellery within a 12-month period after
 11 Ellery was registered on the National Do Not Call Registry, including but not limited to the
 12 period between 01/30/2016 and 01/29/2017. Ellery seeks an amount not less than \$16,500 for
 13 at least 11 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
 14 \$16,500 for at least 11 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
 15 Ellery seeks an amount not less than \$5,500 for at least 11 negligent violations of 47 U.S.C. §
 16 227(b), and \$5,500 for at least 11 negligent violations of 47 U.S.C. § 227(c).

17 316. Roger Elsmore personally owns and uses the cellular phone number xxx-xxx-
 18 7643. This number is a residential telephone subscription and is Elsmore's personal cell phone.
 19 It is his only phone. He uses this number when making all of his personal calls and when
 20 talking with friends and family. Elsmore pays for it out of his personal account. On 9/26/2003,
 21 Elsmore registered this number on the National Do Not Call Registry. Despite his longtime
 22 presence on the Do Not Call Registry, in the four years preceding 4/22/2020 (the date
 23 Elsmore's original Complaint was filed), GoSmith sent Elsmore at least 7 telemarketing text
 24 messages at this number, within a short period of time. Upon information and belief, the
 25 number of texts were actually quite higher. Elsmore found them extremely annoying. GoSmith
 26 knowingly and willfully sent these text messages using an automatic telephone dialing system
 27 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith

1 knowingly and willfully sent these text messages without instituting procedures that meet the
2 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
3 § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith
4 knowingly and willfully sent at least 2 text messages to Elsmore within a 12-month period after
5 Elsmore was registered on the National Do Not Call Registry, including but not limited to the
6 period between 7/13/2017 and 7/21/2017. Elsmore seeks an amount not less than \$10,500 for
7 at least 7 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
8 \$10,500 for at least 7 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
9 Elsmore seeks an amount not less than \$3,500 for at least 7 negligent violations of 47 U.S.C. §
10 227(b), and not less than \$3,500 for at least 7 negligent violations of 47 U.S.C. § 227(c).

11 317. Eric Emery personally owns and uses the cellular phone number xxx-xxx-8722.
12 This number is a residential telephone subscription. In the four years preceding 4/22/2020 (the
13 date Emery's original Complaint was filed), GoSmith sent Emery at least 35 telemarketing text
14 messages at this number. GoSmith knowingly and willfully sent these text messages using an
15 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
16 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
17 procedures that meet the minimum standards required for telemarketing in violation of 47
18 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Emery seeks an amount not less than \$52,500 for
19 at least 35 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
20 \$52,500 for at least 35 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
21 Emery seeks an amount not less than \$17,500 for at least 35 negligent violations of 47 U.S.C. §
22 227(b), and not less than \$17,500 for at least 35 negligent violations of 47 U.S.C. § 227(c).
23 Finally, GoSmith sent Emery at least 35 commercial text messages in violation of RCW §§
24 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in
25 violation of RCW § 80.36.390, for which Emery seeks an amount not less than \$17,500,
26 attorney's fees, injunctive relief, and treble damages.

318. William Emig personally owns and uses the cellular phone number xxx-xxx-8930. This number is a residential telephone subscription and is Emig's personal cell phone. It is his only phone and he uses it for all his personal calls. On 12/16/2004, Emig registered this number on the National Do Not Call Registry. In the four years preceding 4/21/2020 (the date Emig's original Complaint was filed), GoSmith sent Emig at least 789 telemarketing text messages at this number, which texts only stopped when Emig filed this lawsuit. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Emig within a 12-month period after Emig was registered on the National Do Not Call Registry, including but not limited to the period between 5/14/2016 and 5/14/2017. Emig seeks an amount not less than \$1,183,500 for at least 789 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$1,183,500 for at least 789 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Emig seeks an amount not less than \$394,500 for at least 789 negligent violations of 47 U.S.C. § 227(b), and not less than \$394,500 for at least 789 negligent violations of 47 U.S.C. § 227(c).

319. Joseph "Joe" Endejan personally owns and uses the cellular phone number xxx-xxx-1835. This number is a residential telephone subscription on a family plan. Endejan pays for it out of his personal bank account. This is the only phone Endejan has and it is a cellphone. He has a very small home-based business doing handywork out of his home. He does not advertise for clients or post his number online, as it is his personal cell phone number. Almost all of his clients come to him by word of mouth and he knows the individual who referred them and builds a personal relationship with them all. On 12/02/2004, Endejan registered this number on the National Do Not Call Registry. Despite having been on the Do Not Call Registry for over 12 years, in the four years preceding 01/30/2020 (the date Endejan's original

1 Complaint was filed), GoSmith sent Endejan at least 10 telemarketing text messages at this
2 number. GoSmith knowingly and willfully sent these text messages using an automatic
3 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii). GoSmith knowingly and
4 willfully sent these text messages without instituting procedures that meet the minimum
5 standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. §
6 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith
7 knowingly and willfully sent at least 2 text messages to Endejan within a 12-month period after
8 Endejan was registered on the National Do Not Call Registry, including but not limited to the
9 period between 05/19/2017 and 05/19/2018. Endejan seeks an amount not less than \$15,000 for
10 at least 10 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
11 \$15,000 for at least 10 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
12 Endejan seeks an amount not less than \$5,000 for at least 10 negligent violations of 47 U.S.C.
13 § 227(b), and \$5,000 for at least 10 negligent violations of 47 U.S.C. § 227(c).

14 320. Matt Enos personally owns and uses the cellular phone number xxx-xxx-2197.
15 This number is a residential telephone subscription. In the four years preceding 4/28/2020 (the
16 date Enos's original Complaint was filed), GoSmith sent Enos at least 138 telemarketing text
17 messages at this number, between 1-2 texts per week. GoSmith knowingly and willfully sent
18 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
19 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
20 text messages without instituting procedures that meet the minimum standards required for
21 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Enos seeks an
22 amount not less than \$207,000 for at least 138 knowing and willful violations of 47 U.S.C. §
23 227(b), and an amount not less than \$207,000 for at least 138 knowing and willful violations of
24 47 U.S.C. § 227(c). Alternatively, Enos seeks an amount not less than \$69,000 for at least 138
25 negligent violations of 47 U.S.C. § 227(b), and not less than \$69,000 for at least 138 negligent
26 violations of 47 U.S.C. § 227(c).

321. John Erickson personally owns and uses the cellular phone number xxx-xxx-4600. This number is a residential telephone subscription. In the four years preceding 4/24/2020 (the date Erickson's original Complaint was filed), GoSmith sent Erickson at least 13 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Erickson seeks an amount not less than \$19,500 for at least 13 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$19,500 for at least 13 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Erickson seeks an amount not less than \$6,500 for at least 13 negligent violations of 47 U.S.C. § 227(b), and not less than \$6,500 for at least 13 negligent violations of 47 U.S.C. § 227(c).

322. Matthew Erickson personally owns and uses the cellular phone number xxx-xxx-5453. This number is a residential telephone subscription and is Erickson's personal cellphone. He pays for it out of his personal account and it is a personal plan with his cellular service provider. He uses it for all his personal calls, carries it with him, and charges it in his room at night. In the four years preceding 4/22/2020 (the date Erickson's original Complaint was filed), GoSmith sent Erickson at least 14 telemarketing text messages at this number. Upon information and belief, the actual number is much higher. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Erickson seeks an amount not less than \$21,000 for at least 14 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$21,000 for at least 14 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Erickson seeks an amount not less than \$7,000 for at least 14

1 negligent violations of 47 U.S.C. § 227(b), and not less than \$7,000 for at least 14 negligent
2 violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Erickson at least 14 commercial text
3 messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined
4 number of telephone solicitations in violation of RCW § 80.36.390, for which Erickson seeks
5 an amount not less than \$7,000, attorney's fees, injunctive relief, and treble damages.

6 323. Kurt Eshelman personally owns and uses the cellular phone number xxx-xxx-
7 1693. This number is a residential telephone subscription and is Eshelman's personal cell
8 phone, with which he makes his personal calls, paid for out of his personal account. On
9 11/05/2010, Eshelman registered this number on the National Do Not Call Registry. In the four
10 years preceding 01/30/2020 (the date Eshelman's original Complaint was filed), GoSmith sent
11 Eshelman at least 50 telemarketing text messages at this number. GoSmith knowingly and
12 willfully sent these text messages using an automatic telephone dialing system in violation of
13 47 U.S.C. § 227(b)(1)(A)(iii). GoSmith knowingly and willfully sent these text messages
14 without instituting procedures that meet the minimum standards required for telemarketing in
15 violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. §
16 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text
17 messages to Eshelman within a 12-month period after Eshelman was registered on the National
18 Do Not Call Registry, including but not limited to the period between 07/25/2016 and
19 07/25/2017. Eshelman seeks an amount not less than \$75,000 for at least 50 knowing and
20 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$75,000 for at least 50
21 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Eshelman seeks an
22 amount not less than \$25,000 for at least 50 negligent violations of 47 U.S.C. § 227(b), and
23 \$25,000 for at least 50 negligent violations of 47 U.S.C. § 227(c).

24 324. Alan Eskelsen personally owns and uses the cellular phone number xxx-xxx-
25 6395. This number is a residential telephone subscription and is his personal cell phone. It is
26 paid for by his business, but it is Eskelsen's private phone and he carries it home with him and
27 makes all his calls with it. On 4/22/2017, Eskelsen registered this number on the National Do

Not Call Registry. In the four years preceding 1/30/2020 (the date Eskelsen's original Complaint was filed), GoSmith sent Eskelsen at least 10 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Eskelsen within a 12-month period after Eskelsen was registered on the National Do Not Call Registry, including but not limited to the period between 6/9/2017 and 6/30/2017. Eskelsen seeks an amount not less than \$15,000 for at least 10 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$15,000 for at least 10 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Eskelsen seeks an amount not less than \$5,000 for at least 10 negligent violations of 47 U.S.C. § 227(b), and not less than \$5,000 for at least 10 negligent violations of 47 U.S.C. § 227(c).

325. Roger Espinosa personally owns and uses the cellular phone number xxx-xxx-0209. This number is a residential telephone subscription. It is registered to Espinosa personally and is an individual plan with his cellular service provider. This is Espinosa's only phone and he uses it for all his personal calls and pays for it out of his personal account. He takes it home at night and charges it in his room. On 10/11/2003, Espinosa registered this number on the National Do Not Call Registry. Despite having been on the Do Not Call Registry for over 13 years, in the four years preceding 4/21/2020 (the date Espinosa's original Complaint was filed), GoSmith sent Espinosa at least 2 telemarketing text messages at this number (upon information and belief, the actual number is much, much higher). GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the

1 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
2 § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith
3 knowingly and willfully sent at least 2 text messages to Espinosa within a 12-month period
4 after Espinosa was registered on the National Do Not Call Registry, including but not limited
5 to the period between 2/22/2017 and 2/22/2018. Espinosa seeks an amount not less than \$3,000
6 for at least 2 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
7 \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
8 Espinosa seeks an amount not less than \$1,000 for at least 2 negligent violations of 47 U.S.C. §
9 227(b), and not less than \$1,000 for at least 2 negligent violations of 47 U.S.C. § 227(c).

10 326. Joseph Esposito personally owns and uses the cellular phone number xxx-xxx-
11 9173. This number is a residential telephone subscription. On 5/6/2018, Esposito registered this
12 number on the National Do Not Call Registry. In the four years preceding 4/29/2020 (the date
13 Esposito's original Complaint was filed), GoSmith sent Esposito at least 42 telemarketing text
14 messages at this number. GoSmith knowingly and willfully sent these text messages using an
15 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
16 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
17 procedures that meet the minimum standards required for telemarketing in violation of 47
18 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
19 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Esposito
20 within a 12-month period after Esposito was registered on the National Do Not Call Registry,
21 including but not limited to the period between 5/6/2018 and 5/6/2019. Esposito seeks an
22 amount not less than \$63,000 for at least 42 knowing and willful violations of 47 U.S.C. §
23 227(b), and an amount not less than \$63,000 for at least 42 knowing and willful violations of
24 47 U.S.C. § 227(c). Alternatively, Esposito seeks an amount not less than \$21,000 for at least
25 42 negligent violations of 47 U.S.C. § 227(b), and not less than \$21,000 for at least 42
26 negligent violations of 47 U.S.C. § 227(c).

327. Stacy Estes personally owns and uses the cellular phone number xxx-xxx-2925. This number is a residential telephone subscription and is Estes's personal cell phone number. She pays for it out of her personal account and uses it for all her personal calls. In the four years preceding 4/22/2020 (the date Estes's original Complaint was filed), GoSmith sent Estes over 100 telemarketing text messages at this number. Estes has another cellphone with a different number that she uses for business, which ends in xxx-xxx-0295. In the four years preceding 4/22/2020 (the date Estes's original Complaint was filed), GoSmith sent Estes over 24 telemarketing text messages at this number, as well as texting her personal cell phone. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Estes seeks an amount not less than \$186,000 for at least 124 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$150,000 for at least 100 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Estes seeks an amount not less than \$62,000 for at least 124 negligent violations of 47 U.S.C. § 227(b), and not less than \$50,000 for at least 100 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Estes at least 124 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which Estes seeks an amount not less than \$62,000, attorney's fees, injunctive relief, and treble damages.

328. Manuel Estrella personally owns and uses the cellular phone number xxx-xxx-5566. This number is a residential telephone subscription. In the four years preceding 4/21/2020 (the date Estrella's original Complaint was filed), GoSmith sent Estrella at least 18 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these

1 text messages without instituting procedures that meet the minimum standards required for
2 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Estrella seeks an
3 amount not less than \$27,000 for at least 18 knowing and willful violations of 47 U.S.C. §
4 227(b), and an amount not less than \$27,000 for at least 18 knowing and willful violations of
5 47 U.S.C. § 227(c). Alternatively, Estrella seeks an amount not less than \$9,000 for at least 18
6 negligent violations of 47 U.S.C. § 227(b), and not less than \$9,000 for at least 18 negligent
7 violations of 47 U.S.C. § 227(c).

8 329. Frederick Eubanks personally owns and uses the cellular phone number xxx-xxx-
9 8478. This number is a residential telephone subscription and was Eubanks personal cell
10 phone. It was his only phone and he paid for it out of personal accounts and used it for all his
11 personal calls. In the four years preceding 4/22/2020 (the date Eubanks's original Complaint
12 was filed), GoSmith sent Eubanks at least 80 telemarketing text messages and phone calls at
13 this number, about 2-4 per day. GoSmith knowingly and willfully sent these text messages
14 using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and
15 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
16 instituting procedures that meet the minimum standards required for telemarketing in violation
17 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Eubanks seeks an amount not less than
18 \$120,000 for at least 80 knowing and willful violations of 47 U.S.C. § 227(b), and an amount
19 not less than \$120,000 for at least 80 knowing and willful violations of 47 U.S.C. § 227(c).
20 Alternatively, Eubanks seeks an amount not less than \$40,000 for at least 80 negligent
21 violations of 47 U.S.C. § 227(b), and not less than \$40,000 for at least 80 negligent violations
22 of 47 U.S.C. § 227(c). Finally, GoSmith sent Eubanks at least 80 commercial text messages in
23 violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of
24 telephone solicitations in violation of RCW § 80.36.390, for which Eubanks seeks an amount
25 not less than \$40,000, attorney's fees, injunctive relief, and treble damages.

26 330. Jim Evangelista personally owns and uses the cellular phone number xxx-xxx-
27 1323. This number is a residential telephone subscription that is Evangelista's only phone

1 number. He uses it for all his calls and his personal matters and takes it home. He charges it on
2 his bedstand each night. In the four years preceding 4/28/2020 (the date Evangelista's original
3 Complaint was filed), GoSmith sent Evangelista at least 5 telemarketing text messages at this
4 number. GoSmith knowingly and willfully sent these text messages using an automatic
5 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
6 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
7 procedures that meet the minimum standards required for telemarketing in violation of 47
8 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Evangelista seeks an amount not less than \$7,500
9 for at least 5 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
10 \$7,500 for at least 5 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
11 Evangelista seeks an amount not less than \$2,500 for at least 5 negligent violations of 47
12 U.S.C. § 227(b), and not less than \$2,500 for at least 5 negligent violations of 47 U.S.C. §
13 227(c).

14 331. James Evans personally owns and uses the cellular phone number xxx-xxx-4445.
15 This number is a cell phone paid for by Evans's home-based business and he has a separate
16 landline at home for personal use. On 3/5/2013, Evans registered this number on the National
17 Do Not Call Registry. In the four years preceding 4/21/2020 (the date Evans's original
18 Complaint was filed), GoSmith sent Evans at least 45 telemarketing text messages at this
19 number. GoSmith knowingly and willfully sent these text messages using an automatic
20 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
21 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
22 procedures that meet the minimum standards required for telemarketing in violation of 47
23 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
24 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Evans
25 within a 12-month period after Evans was registered on the National Do Not Call Registry,
26 including but not limited to the period between 5/9/2016 and 5/9/2017. Evans seeks an amount
27 not less than \$67,500 for at least 45 knowing and willful violations of 47 U.S.C. § 227(b).

1 Alternatively, Evans seeks an amount not less than \$22,500 for at least 45 negligent violations
2 of 47 U.S.C. § 227(b).

3 332. Stephanie Evans personally owns and uses the cellular phone number xxx-xxx-
4 0447. This number is a residential telephone subscription and is Evans's only phone. It is a cell
5 phone that she uses for all her personal calls and pays for out of her personal account. In the
6 four years preceding 4/27/2020 (the date Evans's original Complaint was filed), GoSmith sent
7 Evans at least 7 telemarketing text messages at this number. GoSmith knowingly and willfully
8 sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C.
9 § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
10 text messages without instituting procedures that meet the minimum standards required for
11 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Evans seeks an
12 amount not less than \$10,500 for at least 7 knowing and willful violations of 47 U.S.C. §
13 227(b), and an amount not less than \$10,500 for at least 7 knowing and willful violations of 47
14 U.S.C. § 227(c). Alternatively, Evans seeks an amount not less than \$3,500 for at least 7
15 negligent violations of 47 U.S.C. § 227(b), and not less than \$3,500 for at least 7 negligent
16 violations of 47 U.S.C. § 227(c).

17 333. Charles Exum personally owns and uses the cellular phone number xxx-xxx-
18 2976. This number is a residential telephone subscription. On 2/28/2015, Exum registered this
19 number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date
20 Exum's original Complaint was filed), GoSmith sent Exum at least 6 telemarketing text
21 messages at this number. GoSmith knowingly and willfully sent these text messages using an
22 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
23 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
24 procedures that meet the minimum standards required for telemarketing in violation of 47
25 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
26 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Exum
27 within a 12-month period after Exum was registered on the National Do Not Call Registry,

1 including but not limited to the period between 6/10/2017 and 7/31/2017. Exum seeks an
 2 amount not less than \$9,000 for at least 6 knowing and willful violations of 47 U.S.C. § 227(b),
 3 and an amount not less than \$9,000 for at least 6 knowing and willful violations of 47 U.S.C. §
 4 227(c). Alternatively, Exum seeks an amount not less than \$3,000 for at least 6 negligent
 5 violations of 47 U.S.C. § 227(b), and not less than \$3,000 for at least 6 negligent violations of
 6 47 U.S.C. § 227(c).

7 334. Denaro Fair personally owns and uses the cellular phone number xxx-xxx-6970.
 8 This number is a residential telephone subscription. In the four years preceding 4/22/2020 (the
 9 date Fair's original Complaint was filed), GoSmith sent Fair at least 16 telemarketing text
 10 messages at this number. GoSmith knowingly and willfully sent these text messages using an
 11 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
 12 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
 13 procedures that meet the minimum standards required for telemarketing in violation of 47
 14 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Fair seeks an amount not less than \$24,000 for at
 15 least 16 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
 16 \$24,000 for at least 16 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
 17 Fair seeks an amount not less than \$8,000 for at least 16 negligent violations of 47 U.S.C. §
 18 227(b), and not less than \$8,000 for at least 16 negligent violations of 47 U.S.C. § 227(c).
 19 Finally, GoSmith sent Fair at least 16 commercial text messages in violation of RCW §§
 20 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in
 21 violation of RCW § 80.36.390, for which Fair seeks an amount not less than \$8,000, attorney's
 22 fees, injunctive relief, and treble damages.

23 335. William Fargo personally owns and uses the cellular phone number xxx-xxx-
 24 6004. This number is a residential telephone subscription. In the four years preceding
 25 4/28/2020 (the date Fargo's original Complaint was filed), GoSmith sent Fargo at least 14
 26 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
 27 messages using an automatic telephone dialing system in violation of 47 U.S.C. §

227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Fargo seeks an amount not less than \$21,000 for at least 14 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$21,000 for at least 14 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Fargo seeks an amount not less than \$7,000 for at least 14 negligent violations of 47 U.S.C. § 227(b), and not less than \$7,000 for at least 14 negligent violations of 47 U.S.C. § 227(c).

336. Troy Farley personally owns and uses the cellular phone number xxx-xxx-7785. This number is a residential telephone subscription and is Farley's only phone. He makes his personal calls with this cell phone. In the four years preceding 4/22/2020 (the date Farley's original Complaint was filed), GoSmith sent Farley at least 27 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Farley seeks an amount not less than \$40,500 for at least 27 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$40,500 for at least 27 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Farley seeks an amount not less than \$13,500 for at least 27 negligent violations of 47 U.S.C. § 227(b), and not less than \$13,500 for at least 27 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Farley at least 27 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which Farley seeks an amount not less than \$13,500, attorney's fees, injunctive relief, and treble damages.

337. Richard Farnsworth personally owns and uses the cellular phone number xxx-xxx-4778. This number is a residential telephone subscription and is Farnsworth's only phone.

1 He uses it to make all his personal calls and pays for it out of his personal bank account. He
 2 carries it with him and charges it in his room at night. It is on a personal or family plan with his
 3 cellular service provider. On 11/13/2004, Farnsworth registered this number on the National
 4 Do Not Call Registry. In the four years preceding 01/30/2020 (the date Farnsworth's original
 5 Complaint was filed), GoSmith sent Farnsworth at least 14 telemarketing text messages at this
 6 number. GoSmith knowingly and willfully sent these text messages using an automatic
 7 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii). GoSmith knowingly and
 8 willfully sent these text messages without instituting procedures that meet the minimum
 9 standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. §
 10 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith
 11 knowingly and willfully sent at least 2 text messages to Farnsworth within a 12-month period
 12 after Farnsworth was registered on the National Do Not Call Registry, including but not limited
 13 to the period between 12/19/2017 and 12/19/2018. Farnsworth seeks an amount not less than
 14 \$21,000 for at least 14 knowing and willful violations of 47 U.S.C. § 227(b), and an amount
 15 not less than \$21,000 for at least 14 knowing and willful violations of 47 U.S.C. § 227(c).
 16 Alternatively, Farnsworth seeks an amount not less than \$7,000 for at least 14 negligent
 17 violations of 47 U.S.C. § 227(b), and \$7,000 for at least 14 negligent violations of 47 U.S.C. §
 18 227(c).

19 338. Eddy Farris personally owns and uses the cellular phone number xxx-xxx-6573.
 20 This number is a residential telephone subscription. In the four years preceding 4/28/2020 (the
 21 date Farris's original Complaint was filed), GoSmith sent Farris at least 7 telemarketing text
 22 messages at this number. GoSmith knowingly and willfully sent these text messages using an
 23 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
 24 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
 25 procedures that meet the minimum standards required for telemarketing in violation of 47
 26 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Farris seeks an amount not less than \$10,500 for
 27 at least 7 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than

1 \$10,500 for at least 7 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
2 Farris seeks an amount not less than \$3,500 for at least 7 negligent violations of 47 U.S.C. §
3 227(b), and not less than \$3,500 for at least 7 negligent violations of 47 U.S.C. § 227(c).

4 339. Billy Ferguson personally owns and uses the cellular phone number xxx-xxx-
5 2922. This number is a residential telephone subscription. In the four years preceding
6 4/28/2020 (the date Ferguson's original Complaint was filed), GoSmith sent Ferguson at least
7 22 telemarketing text messages at this number. GoSmith knowingly and willfully sent these
8 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
9 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
10 text messages without instituting procedures that meet the minimum standards required for
11 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Ferguson seeks
12 an amount not less than \$33,000 for at least 22 knowing and willful violations of 47 U.S.C. §
13 227(b), and an amount not less than \$33,000 for at least 22 knowing and willful violations of
14 47 U.S.C. § 227(c). Alternatively, Ferguson seeks an amount not less than \$11,000 for at least
15 22 negligent violations of 47 U.S.C. § 227(b), and not less than \$11,000 for at least 22
16 negligent violations of 47 U.S.C. § 227(c).

17 340. Brandon Finlayson personally owns and uses the cellular phone number xxx-xxx-
18 1971. This number is a residential telephone subscription and it is Finlayson's only phone. He
19 uses it for his personal calls and pays for it out of his personal account. On 11/21/2008,
20 Finlayson registered this number on the National Do Not Call Registry. In the four years
21 preceding 4/22/2020 (the date Finlayson's original Complaint was filed), GoSmith sent
22 Finlayson at least 98 telemarketing text messages at this number, sending multiple messages
23 each week. GoSmith knowingly and willfully sent these text messages using an automatic
24 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
25 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
26 procedures that meet the minimum standards required for telemarketing in violation of 47
27 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47

1 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to
2 Finlayson within a 12-month period after Finlayson was registered on the National Do Not Call
3 Registry, including but not limited to the period between 5/16/2016 and 5/16/2017. Finlayson
4 seeks an amount not less than \$147,000 for at least 98 knowing and willful violations of 47
5 U.S.C. § 227(b), and an amount not less than \$147,000 for at least 98 knowing and willful
6 violations of 47 U.S.C. § 227(c). Alternatively, Finlayson seeks an amount not less than
7 \$49,000 for at least 98 negligent violations of 47 U.S.C. § 227(b), and not less than \$49,000 for
8 at least 98 negligent violations of 47 U.S.C. § 227(c).

9 341. Kaileb Finley personally owns and uses the cellular phone number xxx-xxx-8961.
10 This number is a residential telephone subscription. In the four years preceding 4/28/2020 (the
11 date Finley's original Complaint was filed), GoSmith sent Finley at least 2 telemarketing text
12 messages at this number. GoSmith knowingly and willfully sent these text messages using an
13 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
14 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
15 procedures that meet the minimum standards required for telemarketing in violation of 47
16 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Finley seeks an amount not less than \$3,000 for at
17 least 2 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
18 \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Finley
19 seeks an amount not less than \$1,000 for at least 2 negligent violations of 47 U.S.C. § 227(b),
20 and not less than \$1,000 for at least 2 negligent violations of 47 U.S.C. § 227(c).

21 342. James Finnell personally owns and uses the cellular phone number xxx-xxx-1763.
22 This number is a residential telephone subscription and is Finnell's only phone. It is a cell
23 phone that he has on a family plan with his cellular service provider. He makes all his personal
24 calls with this phone and pays for it out of a personal account. He takes it everywhere and
25 charges it in his room at night. On 1/6/2013, Finnell registered this number on the National Do
26 Not Call Registry. In the four years preceding 4/28/2020 (the date Finnell's original Complaint
27 was filed), GoSmith sent Finnell at least 48 telemarketing text messages at this number, about

3-4 per week for around 4 months. The amount of spam messages was so frustrating to Finnell that he complained to his brother, friends, and mother about the calls. GoSmith would text Finnell using an ATDS and from many different numbers. Every time Finnell blocked a number from GoSmith, they would send him more messages from a new and different number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Finnell within a 12-month period after Finnell was registered on the National Do Not Call Registry, including but not limited to the period between 2/1/2017 and 10/2/2017. Finnell seeks an amount not less than \$72,000 for at least 48 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$72,000 for at least 48 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Finnell seeks an amount not less than \$24,000 for at least 48 negligent violations of 47 U.S.C. § 227(b), and not less than \$24,000 for at least 48 negligent violations of 47 U.S.C. § 227(c).

343. KJ Finsand personally owns and uses the cellular phone number xxx-xxx-2214. This number is a residential telephone subscription and is Finsand's personal and only phone. Finsand pays for this cell phone out of a personal bank account, makes all personal calls with this phone, and has an individual or family plan with Finsand's cellular service provider. On 12/8/2004, Finsand registered this number on the National Do Not Call Registry. In the four years preceding 4/22/2020 (the date Finsand's original Complaint was filed), GoSmith sent Finsand at least 36 telemarketing text messages at this number, sending Finsand at least two messages per week. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting

1 procedures that meet the minimum standards required for telemarketing in violation of 47
2 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
3 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Finsand
4 within a 12-month period after Finsand was registered on the National Do Not Call Registry,
5 including but not limited to the period between 3/7/2017 and 7/11/2017. Finsand seeks an
6 amount not less than \$54,000 for at least 36 knowing and willful violations of 47 U.S.C. §
7 227(b), and an amount not less than \$54,000 for at least 36 knowing and willful violations of
8 47 U.S.C. § 227(c). Alternatively, Finsand seeks an amount not less than \$18,000 for at least
9 36 negligent violations of 47 U.S.C. § 227(b), and not less than \$18,000 for at least 36
10 negligent violations of 47 U.S.C. § 227(c).

11 344. Robert Fischer personally owns and uses the cellular phone number xxx-xxx-
12 5948. This number is a residential telephone subscription and is Fischer's personal and only
13 phone. He uses it for all his personal calls, pays for it out of a personal bank account, and keeps
14 it by his bed at night. On 8/19/2010, Fischer registered this number on the National Do Not
15 Call Registry. In the four years preceding 4/28/2020 (the date Fischer's original Complaint was
16 filed), GoSmith sent Fischer at least 41 telemarketing text messages at this number. GoSmith
17 knowingly and willfully sent these text messages using an automatic telephone dialing system
18 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith
19 knowingly and willfully sent these text messages without instituting procedures that meet the
20 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
21 § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith
22 knowingly and willfully sent at least 2 text messages to Fischer within a 12-month period after
23 Fischer was registered on the National Do Not Call Registry, including but not limited to the
24 period between 4/28/2016 and 4/28/2017. Fischer seeks an amount not less than \$61,500 for at
25 least 41 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
26 \$61,500 for at least 41 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
27

1 Fischer seeks an amount not less than \$20,500 for at least 41 negligent violations of 47 U.S.C.
 2 § 227(b), and not less than \$20,500 for at least 41 negligent violations of 47 U.S.C. § 227(c).

3 345. Sharlyne Fisher personally owns and uses the cellular phone number xxx-xxx-
 4 3525. This number was a residential telephone subscription and was Fisher's only phone. It was
 5 a personal plan with her cell phone company and she made all her personal calls with that
 6 number and kept the phone charging by her bed at night. On 06/24/2013, Fisher registered this
 7 number on the National Do Not Call Registry. She did make some work calls related to her
 8 home-based business with this number in the following years. In the four years preceding
 9 01/30/2020 (the date Fisher's original Complaint was filed), GoSmith sent Fisher at least 3-4
 10 telemarketing text messages per week at this number. GoSmith knowingly and willfully sent
 11 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
 12 227(b)(1)(A)(iii). GoSmith knowingly and willfully sent these text messages without
 13 instituting procedures that meet the minimum standards required for telemarketing in violation
 14 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and
 15 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to
 16 Fisher within a 12-month period after Fisher was registered on the National Do Not Call
 17 Registry, including but not limited to the period between 05/03/2017 and 07/12/2017. Fisher
 18 seeks an amount not less than \$52,500 for at least 35 knowing and willful violations of 47
 19 U.S.C. § 227(b), and an amount not less than \$52,500 for at least 35 knowing and willful
 20 violations of 47 U.S.C. § 227(c). Alternatively, Fisher seeks an amount not less than \$17,500
 21 for at least 35 negligent violations of 47 U.S.C. § 227(b), and \$17,500 for at least 35 negligent
 22 violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Fisher at least 35 commercial text
 23 messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined
 24 number of telephone solicitations in violation of RCW § 80.36.390, for which Fisher seeks an
 25 amount not less than \$17,500, attorney's fees, injunctive relief, and treble damages.

26 346. Michael Fjeldheim personally owns and uses the cellular phone number xxx-xxx-
 27 3171. This number is a residential telephone subscription and is Fjeldheim's only phone. He

1 uses this cell phone for all his personal calls and pays for it out of his personal account. In the
 2 four years preceding 4/22/2020 (the date Fjeldheim's original Complaint was filed), GoSmith
 3 sent Fjeldheim at least 21 telemarketing text messages at this number. GoSmith knowingly and
 4 willfully sent these text messages using an automatic telephone dialing system in violation of
 5 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully
 6 sent these text messages without instituting procedures that meet the minimum standards
 7 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d).
 8 Fjeldheim seeks an amount not less than \$31,500 for at least 21 knowing and willful violations
 9 of 47 U.S.C. § 227(b), and an amount not less than \$31,500 for at least 21 knowing and willful
 10 violations of 47 U.S.C. § 227(c). Alternatively, Fjeldheim seeks an amount not less than
 11 \$10,500 for at least 21 negligent violations of 47 U.S.C. § 227(b), and not less than \$10,500 for
 12 at least 21 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Fjeldheim at least
 13 21 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and
 14 an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which
 15 Fjeldheim seeks an amount not less than \$10,500, attorney's fees, injunctive relief, and treble
 16 damages

17 347. Vern Flanery personally owns and uses the cellular phone number xxx-xxx-0105.
 18 This number is a residential telephone subscription and is Flanery's personal cell phone. It is on
 19 a family plan with his cellular service provider with his wife and children's phones. They pay
 20 for this phone out of their personal bank account and Flanery makes all his personal calls with
 21 this number. On 8/3/2007, Flanery registered this number on the National Do Not Call
 22 Registry. In the four years preceding 4/22/2020 (the date Flanery's original Complaint was
 23 filed), GoSmith sent Flanery at least 67 telemarketing text messages and calls to Flanery's
 24 personal cell phone at this number, calling multiple times a week and texting him multiple
 25 times a week. GoSmith knowingly and willfully sent these text messages using an automatic
 26 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
 27 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting

procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Flanery within a 12-month period after Flanery was registered on the National Do Not Call Registry, including but not limited to the period between 2/17/2017 and 2/17/2018. Flanery seeks an amount not less than \$100,500 for at least 67 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$100,500 for at least 67 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Flanery seeks an amount not less than \$33,500 for at least 67 negligent violations of 47 U.S.C. § 227(b), and not less than \$33,500 for at least 67 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Flanery at least 67 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which Flanery seeks an amount not less than \$33,500, attorney's fees, injunctive relief, and treble damages.

348. Angela Fletcher personally owns and uses the cellular phone number xxx-xxx-5473. This number is a residential telephone subscription and is Fletcher's only phone. She uses it for all her personal calls and it is an individual/personal subscription with her cellular service provider. She carries it with her and charges it by her bed at night. In the four years preceding 4/27/2020 (the date Fletcher's original Complaint was filed), GoSmith sent Fletcher at least 29 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Fletcher seeks an amount not less than \$43,500 for at least 29 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$43,500 for at least 29 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Fletcher seeks an amount not less than \$14,500 for at least 29 negligent violations of 47 U.S.C. § 227(b), and not less than \$14,500 for at least 29

1 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Fletcher at least 29
2 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an
3 undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which
4 Fletcher seeks an amount not less than \$14,500, attorney's fees, injunctive relief, and treble
5 damages.

6 349. David Flowers personally owns and uses the cellular phone number xxx-xxx-
7 7005. This number is a residential telephone subscription, but Flowers uses it for work. On
8 7/28/2006, Flowers registered this number on the National Do Not Call Registry. In the four
9 years preceding 1/30/2020 (the date Flowers's original Complaint was filed), GoSmith sent
10 Flowers at least 4 telemarketing text messages at this number. GoSmith knowingly and
11 willfully sent these text messages using an automatic telephone dialing system in violation of
12 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully
13 sent these text messages without instituting procedures that meet the minimum standards
14 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d).
15 Flowers seeks an amount not less than \$6,000 for at least 4 knowing and willful violations of
16 47 U.S.C. § 227(b). Alternatively, Flowers seeks an amount not less than \$2,000 for at least 4
17 negligent violations of 47 U.S.C. § 227(b).

18 350. David Fluckinger personally owns and uses the cellular phone number xxx-xxx-
19 4743. This number is a residential telephone subscription and is Fluckinger's personal and only
20 phone number. He uses it for all his personal calls and pays for it out of his personal account.
21 He carries it on his person and keeps it by his bed at night. It is a personal/individual or family
22 account with his cellular service provider. He also uses it to take work calls related to his
23 home-based business. In the four years preceding 4/22/2020 (the date Fluckinger's original
24 Complaint was filed), GoSmith sent Fluckinger at least 1,159 telemarketing text messages at
25 this number. Fluckinger remembers getting as many as 3-5 text messages a day "for what
26 seemed like forever." The harassment went on for many, many months. Fluckinger would have
27 to stop working and put his tools down to check to see if it was an emergency personal call or a

1 legitimate client. It was not only very disruptive to his productivity, but it also became very
2 stressful for Fluckinger personally. He reports that he considered getting a new phone number
3 just "to make the nonsense stop," but that he couldn't even do that for relief because none of his
4 customers would be able to get in touch with him, only knowing his personal number. The
5 calls and texts were annoying during his personal time away from work, as well. Fluckinger
6 states, "It was honestly one of the most annoying things I have ever had to deal with." GoSmith
7 knowingly and willfully sent these text messages using an automatic telephone dialing system
8 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith
9 knowingly and willfully sent these text messages without instituting procedures that meet the
10 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
11 § 64.1200(d). Fluckinger seeks an amount not less than \$1,738,500 for at least 1,159 knowing
12 and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$1,738,500 for at
13 least 1,159 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Fluckinger
14 seeks an amount not less than \$579,500 for at least 1,159 negligent violations of 47 U.S.C. §
15 227(b), and not less than \$579,500 for at least 1,159 negligent violations of 47 U.S.C. § 227(c).
16 Finally, GoSmith sent Fluckinger at least 1159 commercial text messages in violation of RCW
17 §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations
18 in violation of RCW § 80.36.390, for which Fluckinger seeks an amount not less than
19 \$579,500, attorney's fees, injunctive relief, and treble damages.

20 351. Henry Fluger personally owns and uses the cellular phone number xxx-xxx-0098.
21 This number is a residential telephone subscription. On 7/5/2015, Fluger registered this number
22 on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date Fluger's
23 original Complaint was filed), GoSmith sent Fluger at least 2 telemarketing text messages at
24 this number. GoSmith knowingly and willfully sent these text messages using an automatic
25 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
26 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
27 procedures that meet the minimum standards required for telemarketing in violation of 47

1 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
2 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Fluger
3 within a 12-month period after Fluger was registered on the National Do Not Call Registry,
4 including but not limited to the period between 6/11/2017 and 6/11/2018. Fluger seeks an
5 amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(b),
6 and an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. §
7 227(c). Alternatively, Fluger seeks an amount not less than \$1,000 for at least 2 negligent
8 violations of 47 U.S.C. § 227(b), and not less than \$1,000 for at least 2 negligent violations of
9 47 U.S.C. § 227(c).

10 352. Jeremy Fogle personally owns and uses the cellular phone number xxx-xxx-4225.
11 This number is a residential telephone subscription and is Fogle's only phone. He pays for this
12 cell phone out of his personal bank account and uses this phone to make all his personal calls.
13 In the four years preceding 4/22/2020 (the date Fogle's original Complaint was filed), GoSmith
14 sent Fogle at least 388 telemarketing text messages at this number, texting Fogle roughly 2-3
15 messages every few days. Fogle repeatedly asked GoSmith to stop, but they just kept coming
16 back. Fogle would get messages from GoSmith from about 5:00 a.m. until 9:00 p.m.. GoSmith
17 knowingly and willfully sent these text messages using an automatic telephone dialing system
18 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith
19 knowingly and willfully sent these text messages without instituting procedures that meet the
20 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
21 § 64.1200(d). Fogle seeks an amount not less than \$582,000 for at least 388 knowing and
22 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$582,000 for at least 388
23 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Fogle seeks an amount not
24 less than \$194,000 for at least 388 negligent violations of 47 U.S.C. § 227(b), and not less than
25 \$194,000 for at least 388 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent
26 Fogle at least 388 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090,
27 80.36.400, and an undetermined number of telephone solicitations in violation of RCW §

1 80.36.390, for which Fogle seeks an amount not less than \$194,000, attorney's fees, injunctive
2 relief, and treble damages.

3 353. Eugene "Rocky" Foister personally owns and uses the cellular phone number xxx-
4 xxx-5188. This number is a residential telephone subscription and is Foister's only phone. He
5 uses it for all his calls and all his personal calls. He pays for it with his personal bank account.
6 On 9/3/2015, Foister registered this number on the National Do Not Call Registry. In the four
7 years preceding 1/30/2020 (the date Foister's original Complaint was filed), GoSmith sent
8 Foister's personal cell phone thousands of telemarketing text messages. At times, GoSmith sent
9 as many as 15 text solicitations per week. GoSmith knowingly and willfully sent these text
10 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
11 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
12 text messages without instituting procedures that meet the minimum standards required for
13 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
14 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
15 least 2 text messages to Foister within a 12-month period after Foister was registered on the
16 National Do Not Call Registry, including but not limited to the period between 1/30/2016 and
17 1/29/2017. Foister seeks an amount not less than \$2,350,500 for at least 1,567 knowing and
18 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$2,350,500 for at least
19 1,567 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Foister seeks an
20 amount not less than \$783,500 for at least 1,567 negligent violations of 47 U.S.C. § 227(b),
21 and not less than \$783,500 for at least 1,567 negligent violations of 47 U.S.C. § 227(c).

22 354. Brian Fontaine personally owns and uses the cellular phone number xxx-xxx-
23 1206. This number is a residential telephone subscription and is Fontaine's personal and only
24 phone. He has a personal/family cellular phone service plan and pays for it out of his personal
25 bank account. He makes all his personal calls with this cell phone. In the four years preceding
26 01/30/2020 (the date Fontaine's original Complaint was filed), GoSmith sent Fontaine at least
27 98 telemarketing text messages at this number, at the rate of at least 2 solicitations per week for

1 over a year. The messages commonly said, "(Name) needs (job) in your area. Reply 1 if
2 interested." Fontaine complained to his wife that the solicitations were very aggravating, and
3 that he didn't know who was sending them. He tried numerous times to stop the messages.
4 Fontaine believes the telemarketing messages were sent by an autodialer because no one
5 responded to his requests that the sender identify itself. Once, in order to discover the sender's
6 identity, Fontaine selected the option to receive more information. A live person called him
7 back from a different number and tried to sell him GoSmith's leads. Fontaine was very busy
8 and did not need any more work, but GoSmith just kept sending text messages, which
9 frustrated Fontaine to no end. GoSmith knowingly and willfully sent these text messages using
10 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii). GoSmith
11 knowingly and willfully sent these text messages without instituting procedures that meet the
12 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
13 § 64.1200(d). Fontaine seeks an amount not less than \$147,000 for at least 98 knowing and
14 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$147,000 for at least 98
15 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Fontaine seeks an amount
16 not less than \$49,000 for at least 98 negligent violations of 47 U.S.C. § 227(b), and \$49,000 for
17 at least 98 negligent violations of 47 U.S.C. § 227(c).

18 355. Robert Ford personally owns and uses the cellular phone number xxx-xxx-4347.
19 This number is a residential telephone subscription. In the four years preceding 4/27/2020 (the
20 date Ford's original Complaint was filed), GoSmith sent Ford at least 54 telemarketing text
21 messages at this number. GoSmith knowingly and willfully sent these text messages using an
22 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
23 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
24 procedures that meet the minimum standards required for telemarketing in violation of 47
25 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Ford seeks an amount not less than \$81,000 for at
26 least 54 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
27 \$81,000 for at least 54 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,

1 Ford seeks an amount not less than \$27,000 for at least 54 negligent violations of 47 U.S.C. §
2 227(b), and not less than \$27,000 for at least 54 negligent violations of 47 U.S.C. § 227(c).

3 356. Michael Fort personally owns and uses the cellular phone number xxx-xxx-8568.
4 This number is a residential telephone subscription and this is his only phone number. On
5 9/22/2017, Fort registered this number on the National Do Not Call Registry. Fort pays for this
6 phone out of his personal bank account and uses the phone for all his personal calls. In the four
7 years preceding 4/29/2020 (the date Fort's original Complaint was filed), GoSmith sent Fort at
8 least 490 telemarketing text messages at this number. GoSmith sent Fort multiple texts per
9 week to his personal phone, claiming to have a potential client for Fort, and asking him to text
10 1 to reply/confirm. Some were even for clients not even in his state. Fort runs a small cleaning
11 business out of his home. The texts from GoSmith were clearly the product of a spam bot and
12 "were coming at an obnoxious, almost laughable rate, especially during the years of 2016-
13 2019." GoSmith knowingly and willfully sent these text messages using an automatic
14 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
15 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
16 procedures that meet the minimum standards required for telemarketing in violation of 47
17 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
18 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Fort
19 within a 12-month period after Fort was registered on the National Do Not Call Registry,
20 including but not limited to the period between 9/22/2017 and 9/22/2018. Fort seeks an amount
21 not less than \$735,000 for at least 490 knowing and willful violations of 47 U.S.C. § 227(b),
22 and an amount not less than \$735,000 for at least 490 knowing and willful violations of 47
23 U.S.C. § 227(c). Alternatively, Fort seeks an amount not less than \$245,000 for at least 490
24 negligent violations of 47 U.S.C. § 227(b), and not less than \$245,000 for at least 490 negligent
25 violations of 47 U.S.C. § 227(c).

26 357. Coley Foster personally owns and uses the cellular phone number xxx-xxx-1597.

27 This number is a residential telephone subscription. In the four years preceding 4/30/2020 (the

1 date Foster's original Complaint was filed), GoSmith sent Foster at least 42 telemarketing text
 2 messages at this number. GoSmith knowingly and willfully sent these text messages using an
 3 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
 4 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
 5 procedures that meet the minimum standards required for telemarketing in violation of 47
 6 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Foster seeks an amount not less than \$63,000 for
 7 at least 42 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
 8 \$63,000 for at least 42 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
 9 Foster seeks an amount not less than \$21,000 for at least 42 negligent violations of 47 U.S.C. §
 10 227(b), and not less than \$21,000 for at least 42 negligent violations of 47 U.S.C. § 227(c).

11 358. Jeremy Foster personally owns and uses the cellular phone number xxx-xxx-6406.
 12 This number is a residential telephone subscription. In the four years preceding 4/28/2020 (the
 13 date Foster's original Complaint was filed), GoSmith sent Foster at least 31 telemarketing text
 14 messages at this number. GoSmith knowingly and willfully sent these text messages using an
 15 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
 16 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
 17 procedures that meet the minimum standards required for telemarketing in violation of 47
 18 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Foster seeks an amount not less than \$46,500 for
 19 at least 31 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
 20 \$46,500 for at least 31 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
 21 Foster seeks an amount not less than \$15,500 for at least 31 negligent violations of 47 U.S.C. §
 22 227(b), and not less than \$15,500 for at least 31 negligent violations of 47 U.S.C. § 227(c).

23 359. Vaughn Foulger personally owns and uses the cellular phone number xxx-xxx-
 24 0407. This number is a residential telephone subscription, registered in his personal name, paid
 25 for out of his personal bank account. In the four years preceding 4/28/2020 (the date Foulger's
 26 original Complaint was filed), GoSmith sent Foulger at least 196 telemarketing text messages
 27 at this number, at least twice per week for well over a year. GoSmith knowingly and willfully

sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Foulger seeks an amount not less than \$294,000 for at least 196 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$294,000 for at least 196 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Foulger seeks an amount not less than \$98,000 for at least 196 negligent violations of 47 U.S.C. § 227(b), and not less than \$98,000 for at least 196 negligent violations of 47 U.S.C. § 227(c).

360. Adam Francis personally owns and uses the cellular phone number xxx-xxx-2849. This number is a residential telephone subscription and is Francis's only phone and he makes all of his personal phone calls with this phone. In the four years preceding 4/22/2020 (the date Francis's original Complaint was filed), GoSmith sent Francis at least 174 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Francis seeks an amount not less than \$261,000 for at least 174 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$261,000 for at least 174 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Francis seeks an amount not less than \$87,000 for at least 174 negligent violations of 47 U.S.C. § 227(b), and not less than \$87,000 for at least 174 negligent violations of 47 U.S.C. § 227(c).

361. Salvador Franco personally owns and uses the cellular phone number xxx-xxx-5784. This number is a residential telephone subscription which Franco uses as his personal cell phone. The calls In the four years preceding 4/28/2020 (the date Franco's original Complaint was filed), GoSmith sent Franco at least 621 telemarketing text messages at this

1 number. The messages were extremely disruptive to Franco's daily tasks. GoSmith knowingly
2 and willfully sent these text messages using an automatic telephone dialing system in violation
3 of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and
4 willfully sent these text messages without instituting procedures that meet the minimum
5 standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. §
6 64.1200(d). Franco seeks an amount not less than \$931,500 for at least 621 knowing and
7 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$931,500 for at least 621
8 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Franco seeks an amount
9 not less than \$310,500 for at least 621 negligent violations of 47 U.S.C. § 227(b), and not less
10 than \$310,500 for at least 621 negligent violations of 47 U.S.C. § 227(c).

11 362. Larry Freeman personally owns and uses the cellular phone number xxx-xxx-
12 2623. This number is a residential telephone subscription and is Freeman's only telephone.
13 Freeman uses this cell phone to communicate with family and friends. On 12/04/2004,
14 Freeman registered this number on the National Do Not Call Registry. In the four years
15 preceding 01/30/2020 (the date Freeman's original Complaint was filed), GoSmith sent
16 Freeman at least 50 telemarketing text messages at this number. GoSmith knowingly and
17 willfully sent these text messages using an automatic telephone dialing system in violation of
18 47 U.S.C. § 227(b)(1)(A)(iii). GoSmith knowingly and willfully sent these text messages
19 without instituting procedures that meet the minimum standards required for telemarketing in
20 violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. §
21 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text
22 messages to Freeman within a 12-month period after Freeman was registered on the National
23 Do Not Call Registry, including but not limited to the period between 03/05/2016 and
24 03/05/2017. Freeman seeks an amount not less than \$75,000 for at least 50 knowing and willful
25 violations of 47 U.S.C. § 227(b), and an amount not less than \$75,000 for at least 50 knowing
26 and willful violations of 47 U.S.C. § 227(c). Alternatively, Freeman seeks an amount not less
27

1 than \$25,000 for at least 50 negligent violations of 47 U.S.C. § 227(b), and \$25,000 for at least
2 50 negligent violations of 47 U.S.C. § 227(c).

3 363. Randy Freemole personally owns and uses the cellular phone number xxx-xxx-
4 0666. This number is a residential telephone subscription and is Freemole's only telephone.
5 Freemole uses this phone to communicate with family and friends and keeps the phone with
6 him at all times. On 06/04/2006, Freemole registered this number on the National Do Not Call
7 Registry. In the four years preceding 01/30/2020 (the date Freemole's original Complaint was
8 filed), GoSmith sent Freemole at least 12 telemarketing text messages at this number. GoSmith
9 knowingly and willfully sent these text messages using an automatic telephone dialing system
10 in violation of 47 U.S.C. § 227(b)(1)(A)(iii). GoSmith knowingly and willfully sent these text
11 messages without instituting procedures that meet the minimum standards required for
12 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
13 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
14 least 2 text messages to Freemole within a 12-month period after Freemole was registered on
15 the National Do Not Call Registry, including but not limited to the period between 06/15/2017
16 and 07/28/2017. Freemole seeks an amount not less than \$18,000 for at least 12 knowing and
17 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$18,000 for at least 12
18 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Freemole seeks an amount
19 not less than \$6,000 for at least 12 negligent violations of 47 U.S.C. § 227(b), and \$6,000 for at
20 least 12 negligent violations of 47 U.S.C. § 227(c).

21 364. Ray French personally owns and uses the cellular phone number xxx-xxx-6695.
22 This number is a residential telephone subscription. In the four years preceding 4/24/2020 (the
23 date French's original Complaint was filed), GoSmith sent French at least 15 telemarketing text
24 messages at this number. GoSmith knowingly and willfully sent these text messages using an
25 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
26 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
27 procedures that meet the minimum standards required for telemarketing in violation of 47

1 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). French seeks an amount not less than \$22,500 for
2 at least 15 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
3 \$22,500 for at least 15 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
4 French seeks an amount not less than \$7,500 for at least 15 negligent violations of 47 U.S.C. §
5 227(b), and not less than \$7,500 for at least 15 negligent violations of 47 U.S.C. § 227(c).

6 365. Joe Frieden personally owns and uses the cellular phone number xxx-xxx-9242.
7 This number is a residential telephone subscription. In the four years preceding 1/30/2020 (the
8 date Frieden's original Complaint was filed), GoSmith sent Frieden at least 23 telemarketing
9 text messages at this number. GoSmith knowingly and willfully sent these text messages using
10 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
11 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
12 instituting procedures that meet the minimum standards required for telemarketing in violation
13 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Frieden seeks an amount not less than
14 \$34,500 for at least 23 knowing and willful violations of 47 U.S.C. § 227(b), and an amount
15 not less than \$34,500 for at least 23 knowing and willful violations of 47 U.S.C. § 227(c).
16 Alternatively, Frieden seeks an amount not less than \$11,500 for at least 23 negligent
17 violations of 47 U.S.C. § 227(b), and not less than \$11,500 for at least 23 negligent violations
18 of 47 U.S.C. § 227(c).

19 366. Ron Fuentes personally owns and uses the cellular phone number xxx-xxx-4393.
20 This number is a residential telephone subscription. In the four years preceding 4/21/2020 (the
21 date Fuentes's original Complaint was filed), GoSmith sent Fuentes at least 5 telemarketing
22 text messages at this number. GoSmith knowingly and willfully sent these text messages using
23 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
24 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
25 instituting procedures that meet the minimum standards required for telemarketing in violation
26 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Fuentes seeks an amount not less than
27 \$7,500 for at least 5 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not

1 less than \$7,500 for at least 5 knowing and willful violations of 47 U.S.C. § 227(c).

2 Alternatively, Fuentes seeks an amount not less than \$2,500 for at least 5 negligent violations
3 of 47 U.S.C. § 227(b), and not less than \$2,500 for at least 5 negligent violations of 47 U.S.C.
4 § 227(c).

5 367. Michael Fulmer personally owns and uses the cellular phone number xxx-xxx-
6 9667. This number is a residential telephone subscription and is Fulmer's only telephone.
7 Fulmer uses the telephone to communicate with family and friends and keeps the phone on him
8 at all times. In the four years preceding 4/28/2020 (the date Fulmer's original Complaint was
9 filed), GoSmith sent Fulmer at least 337 telemarketing text messages at this number. GoSmith
10 knowingly and willfully sent these text messages using an automatic telephone dialing system
11 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith
12 knowingly and willfully sent these text messages without instituting procedures that meet the
13 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
14 § 64.1200(d). Fulmer seeks an amount not less than \$505,500 for at least 337 knowing and
15 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$505,500 for at least 337
16 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Fulmer seeks an amount
17 not less than \$168,500 for at least 337 negligent violations of 47 U.S.C. § 227(b), and not less
18 than \$168,500 for at least 337 negligent violations of 47 U.S.C. § 227(c).

19 368. Tyler FuQua personally owns and uses the cellular phone number xxx-xxx-9956.
20 This number is a residential telephone subscription and is FuQua's only telephone. On
21 11/12/2009, FuQua registered this number on the National Do Not Call Registry. In the four
22 years preceding 4/28/2020 (the date FuQua's original Complaint was filed), GoSmith sent
23 FuQua at least 11 telemarketing text messages at this number. GoSmith knowingly and
24 willfully sent these text messages using an automatic telephone dialing system in violation of
25 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully
26 sent these text messages without instituting procedures that meet the minimum standards
27 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also

1 in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and
2 willfully sent at least 2 text messages to FuQua within a 12-month period after FuQua was
3 registered on the National Do Not Call Registry, including but not limited to the period
4 between 1/15/2017 and 6/27/2017. FuQua seeks an amount not less than \$16,500 for at least 11
5 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$16,500 for
6 at least 11 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, FuQua seeks an
7 amount not less than \$5,500 for at least 11 negligent violations of 47 U.S.C. § 227(b), and not
8 less than \$5,500 for at least 11 negligent violations of 47 U.S.C. § 227(c).

9 369. Chris Gabin personally owns and uses the cellular phone number xxx-xxx-0575.
10 This number is a residential telephone subscription. In the four years preceding 4/28/2020 (the
11 date Gabin's original Complaint was filed), GoSmith sent Gabin at least 63 telemarketing text
12 messages at this number. GoSmith knowingly and willfully sent these text messages using an
13 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
14 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
15 procedures that meet the minimum standards required for telemarketing in violation of 47
16 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Gabin seeks an amount not less than \$94,500 for
17 at least 63 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
18 \$94,500 for at least 63 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
19 Gabin seeks an amount not less than \$31,500 for at least 63 negligent violations of 47 U.S.C. §
20 227(b), and not less than \$31,500 for at least 63 negligent violations of 47 U.S.C. § 227(c).

21 370. Michael Gallant personally owns and uses the cellular phone number xxx-xxx-
22 8469. This number is a residential telephone subscription and is Gallant's only telephone which
23 he keeps on him at all times and charges by his bed every night. Gallant uses the cell phone to
24 talk with family and friends. Gallant pays for the cell phone out of his personal bank account.
25 On 10/23/2008, Gallant registered this number on the National Do Not Call Registry. In the
26 four years preceding 01/30/2020 (the date Gallant's original Complaint was filed), GoSmith
27 sent Gallant at least 4 telemarketing text messages at this number. GoSmith knowingly and

1 willfully sent these text messages using an automatic telephone dialing system in violation of
 2 47 U.S.C. § 227(b)(1)(A)(iii). GoSmith knowingly and willfully sent these text messages
 3 without instituting procedures that meet the minimum standards required for telemarketing in
 4 violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. §
 5 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text
 6 messages to Gallant within a 12-month period after Gallant was registered on the National Do
 7 Not Call Registry, including but not limited to the period between 06/09/2017 and 06/09/2018.
 8 Gallant seeks an amount not less than \$6,000 for at least 4 knowing and willful violations of 47
 9 U.S.C. § 227(b), and an amount not less than \$6,000 for at least 4 knowing and willful
 10 violations of 47 U.S.C. § 227(c). Alternatively, Gallant seeks an amount not less than \$2,000
 11 for at least 4 negligent violations of 47 U.S.C. § 227(b), and \$2,000 for at least 4 negligent
 12 violations of 47 U.S.C. § 227(c).

13 371. John Gangini personally owns and uses the cellular phone number xxx-xxx-6567.
 14 This number is a residential telephone subscription and is Gangini's only cell phone. Gangini
 15 uses this cell phone to talk with family and friends and pays the cell phone out of his personal
 16 bank account. On 09/03/2005, Gangini registered this number on the National Do Not Call
 17 Registry. In the four years preceding 01/30/2020 (the date Gangini's original Complaint was
 18 filed), GoSmith sent Gangini at least one telemarketing text message per week at this number.
 19 GoSmith knowingly and willfully sent these text messages using an automatic telephone
 20 dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii). GoSmith knowingly and willfully
 21 sent these text messages without instituting procedures that meet the minimum standards
 22 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also
 23 in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and
 24 willfully sent at least 2 text messages to Gangini within a 12-month period after Gangini was
 25 registered on the National Do Not Call Registry, including but not limited to the period
 26 between 01/30/2016 and 01/29/2017. Gangini seeks an amount not less than \$313,500 for at
 27 least 209 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than

1 \$313,500 for at least 209 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
2 Gangini seeks an amount not less than \$104,500 for at least 209 negligent violations of 47
3 U.S.C. § 227(b), and \$104,500 for at least 209 negligent violations of 47 U.S.C. § 227(c).

4 372. Leonard Garcia personally owns and uses the cellular phone number xxx-xxx-
5 0157. This number is a residential telephone subscription. In the four years preceding
6 4/21/2020 (the date Garcia's original Complaint was filed), GoSmith sent Garcia at least 2
7 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
8 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
9 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
10 text messages without instituting procedures that meet the minimum standards required for
11 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Garcia seeks an
12 amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(b),
13 and an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. §
14 227(c). Alternatively, Garcia seeks an amount not less than \$1,000 for at least 2 negligent
15 violations of 47 U.S.C. § 227(b), and not less than \$1,000 for at least 2 negligent violations of
16 47 U.S.C. § 227(c).

17 373. David Garcia personally owns and uses the cellular phone number xxx-xxx-9922.
18 Garcia uses this cell phone for work. In the four years preceding 01/30/2020 (the date Garcia's
19 original Complaint was filed), GoSmith sent Garcia at least 7 telemarketing text messages at
20 this number. GoSmith knowingly and willfully sent these text messages using an automatic
21 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii). Garcia seeks an amount
22 not less than \$10,500 for at least 7 knowing and willful violations of 47 U.S.C. § 227(b).
23 Alternatively, Garcia seeks an amount not less than \$3,500 for at least 7 negligent violations of
24 47 U.S.C. § 227(b).

25 374. Jimmy Gardner personally owns and uses the cellular phone number xxx-xxx-
26 0078. This number is a residential telephone subscription and is Gardner's only telephone.

27 Gardner uses this cell phone to talk with family and friends and keeps the cell phone on him at

all times. On 6/30/2012, Gardner registered this number on the National Do Not Call Registry. In the four years preceding 4/21/2020 (the date Gardner's original Complaint was filed), GoSmith sent Gardner at least 28 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Gardner within a 12-month period after Gardner was registered on the National Do Not Call Registry, including but not limited to the period between 3/1/2017 and 9/6/2017. Gardner seeks an amount not less than \$42,000 for at least 28 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$42,000 for at least 28 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Gardner seeks an amount not less than \$14,000 for at least 28 negligent violations of 47 U.S.C. § 227(b), and not less than \$14,000 for at least 28 negligent violations of 47 U.S.C. § 227(c).

375. Kerry Garfinkle personally owns and uses the cellular phone number xxx-xxx-9014. This number is a residential telephone subscription and is Garfinkle's only phone. Garfinkle uses this cell phone to communicate with friends and family and for all other purposes as Garfinkle has no other phone or computer. In the four years preceding 01/30/2020 (the date Garfinkle's original Complaint was filed), GoSmith sent Garfinkle at least 2 telemarketing text messages per week at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Garfinkle seeks an amount not less than \$435,000 for at least 290 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$435,000 for at least 290 knowing and willful violations of 47 U.S.C. § 227(c).

1 Alternatively, Garfinkle seeks an amount not less than \$145,000 for at least 290 negligent
2 violations of 47 U.S.C. § 227(b), and \$145,000 for at least 290 negligent violations of 47
3 U.S.C. § 227(c).

4 376. Holly Garner personally owns and uses the cellular phone number xxx-xxx-4208.
5 This number is a residential telephone subscription and is Garner's only telephone. Garner uses
6 the cell phone to communicate with family and friends and pays for the cell phone out of her
7 personal bank account. On 9/14/2005, Garner registered this number on the National Do Not
8 Call Registry. In the four years preceding 4/28/2020 (the date Garner's original Complaint was
9 filed), GoSmith sent Garner at least 3 telemarketing text messages at this number. GoSmith
10 knowingly and willfully sent these text messages using an automatic telephone dialing system
11 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith
12 knowingly and willfully sent these text messages without instituting procedures that meet the
13 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
14 § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith
15 knowingly and willfully sent at least 2 text messages to Garner within a 12-month period after
16 Garner was registered on the National Do Not Call Registry, including but not limited to the
17 period between 7/1/2017 and 7/1/2018. Garner seeks an amount not less than \$4,500 for at
18 least 3 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
19 \$4,500 for at least 3 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
20 Garner seeks an amount not less than \$1,500 for at least 3 negligent violations of 47 U.S.C. §
21 227(b), and not less than \$1,500 for at least 3 negligent violations of 47 U.S.C. § 227(c).

22 377. Cody Garrett personally owns and uses the cellular phone number xxx-xxx-2207.
23 This number is a residential telephone subscription and is Garrett's only telephone. Garrett uses
24 the cell phone to communicate with friends and family and pays for the cell phone out of his
25 personal bank account. Garrett keeps the cell phone on him at all times and charges it near his
26 bedside at night. In the four years preceding 4/28/2020 (the date Garrett's original Complaint
27 was filed), GoSmith sent Garrett at least 4 telemarketing text messages at this number.

1 GoSmith knowingly and willfully sent these text messages using an automatic telephone
2 dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7).

3 GoSmith knowingly and willfully sent these text messages without instituting procedures that
4 meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and
5 47 C.F.R. § 64.1200(d). Garrett seeks an amount not less than \$6,000 for at least 4 knowing
6 and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$6,000 for at least 4
7 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Garrett seeks an amount
8 not less than \$2,000 for at least 4 negligent violations of 47 U.S.C. § 227(b), and not less than
9 \$2,000 for at least 4 negligent violations of 47 U.S.C. § 227(c).

10 378. Brandt Garrison personally owns and uses the cellular phone number xxx-xxx-
11 5401. This number is a residential telephone subscription and is Garrison's only telephone.
12 Garrison uses the cell phone to communicate with family and friends and pays for the cell
13 phone out of his personal bank account. Garrison keeps the cell phone on him at all times and
14 charges it near his bedside at night. On 5/26/2017, Garrison registered this number on the
15 National Do Not Call Registry. In the four years preceding 4/22/2020 (the date Garrison's
16 original Complaint was filed), GoSmith sent Garrison at least 202 telemarketing text messages
17 at this number. Garrison contacted GoSmith at least 10 times by telephone requesting that the
18 text messages and phone calls stop, but GoSmith continued sending him text messages.

19 GoSmith knowingly and willfully sent these text messages using an automatic telephone
20 dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7).

21 GoSmith knowingly and willfully sent these text messages without instituting procedures that
22 meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and
23 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c),
24 GoSmith knowingly and willfully sent at least 2 text messages to Garrison within a 12-month
25 period after Garrison was registered on the National Do Not Call Registry, including but not
26 limited to the period between 5/26/2017 and 5/26/2018. Garrison seeks an amount not less than
27 \$303,000 for at least 202 knowing and willful violations of 47 U.S.C. § 227(b), and an amount

1 not less than \$303,000 for at least 202 knowing and willful violations of 47 U.S.C. § 227(c).
2 Alternatively, Garrison seeks an amount not less than \$101,000 for at least 202 negligent
3 violations of 47 U.S.C. § 227(b), and not less than \$101,000 for at least 202 negligent
4 violations of 47 U.S.C. § 227(c).

5 379. Grant Gary personally owns and uses the cellular phone number xxx-xxx-4657.
6 This number is a residential telephone subscription. In the four years preceding 4/24/2020 (the
7 date Gary's original Complaint was filed), GoSmith sent Gary at least 32 telemarketing text
8 messages at this number. GoSmith knowingly and willfully sent these text messages using an
9 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
10 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
11 procedures that meet the minimum standards required for telemarketing in violation of 47
12 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Gary seeks an amount not less than \$48,000 for at
13 least 32 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
14 \$48,000 for at least 32 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
15 Gary seeks an amount not less than \$16,000 for at least 32 negligent violations of 47 U.S.C. §
16 227(b), and not less than \$16,000 for at least 32 negligent violations of 47 U.S.C. § 227(c).

17 380. Ronald Garzina personally owns and uses the cellular phone number xxx-xxx-
18 6309. This number is a residential telephone subscription and Garzina's only telephone.
19 Garzina uses the telephone to communicate with family and friends and keeps the telephone on
20 him at all times. In the four years preceding 4/22/2020 (the date Garzina's original Complaint
21 was filed), GoSmith sent Garzina at least 453 telemarketing text messages at this number.
22 GoSmith knowingly and willfully sent these text messages using an automatic telephone
23 dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7).
24 GoSmith knowingly and willfully sent these text messages without instituting procedures that
25 meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and
26 47 C.F.R. § 64.1200(d). Garzina seeks an amount not less than \$679,500 for at least 453
27 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$679,500

for at least 453 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Garzina seeks an amount not less than \$226,500 for at least 453 negligent violations of 47 U.S.C. § 227(b), and not less than \$226,500 for at least 453 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Garzina at least 453 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which Garzina seeks an amount not less than \$226,500, attorney's fees, injunctive relief, and treble damages.

381. Cy Gau personally owns and uses the cellular phone number xxx-xxx-8592. This number is a residential telephone subscription. In the four years preceding 4/22/2020 (the date Gau's original Complaint was filed), GoSmith sent Gau at least 7 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Gau seeks an amount not less than \$10,500 for at least 7 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$10,500 for at least 7 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Gau seeks an amount not less than \$3,500 for at least 7 negligent violations of 47 U.S.C. § 227(b), and not less than \$3,500 for at least 7 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Gau at least 7 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which Gau seeks an amount not less than \$3,500, attorney's fees, injunctive relief, and treble damages.

382. Roger Gauthier personally owns and uses the cellular phone number xxx-xxx-1202. This number is a residential telephone subscription and has always been Gauthier's personal cell phone. Gauthier used this cell phone to communicate with family and friends and kept the cell phone on him at all times. In the four years preceding 4/22/2020 (the date

Gauthier's original Complaint was filed), GoSmith sent Gauthier at least 27 telemarketing text messages and telephone calls at this number. GoSmith knowingly and willfully sent these text messages and telephone calls using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages and telephone calls without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Gauthier seeks an amount not less than \$40,500 for at least 27 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$40,500 for at least 27 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Gauthier seeks an amount not less than \$13,500 for at least 27 negligent violations of 47 U.S.C. § 227(b), and not less than \$13,500 for at least 27 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Gauthier at least 27 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which Gauthier seeks an amount not less than \$13,500, attorney's fees, injunctive relief, and treble damages.

383. Timothy Gavin personally owns and uses the cellular phone number xxx-xxx-5280. This number is a residential telephone subscription. On 10/7/2008, Gavin registered this number on the National Do Not Call Registry. In the four years preceding 4/21/2020 (the date Gavin's original Complaint was filed), GoSmith sent Gavin at least 142 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Gavin within a 12-month period after Gavin was registered on the National Do Not Call Registry, including but not limited to the period between 4/21/2016 and 4/21/2017. Gavin seeks an

1 amount not less than \$213,000 for at least 142 knowing and willful violations of 47 U.S.C. §
2 227(b), and an amount not less than \$213,000 for at least 142 knowing and willful violations of
3 47 U.S.C. § 227(c). Alternatively, Gavin seeks an amount not less than \$71,000 for at least 142
4 negligent violations of 47 U.S.C. § 227(b), and not less than \$71,000 for at least 142 negligent
5 violations of 47 U.S.C. § 227(c).

6 384. Benjamin George personally owns and uses the cellular phone number xxx-xxx-
7 7867. This number is a residential telephone subscription. In the four years preceding
8 1/30/2020 (the date George's original Complaint was filed), GoSmith sent George at least 6
9 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
10 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
11 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
12 text messages without instituting procedures that meet the minimum standards required for
13 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). George seeks an
14 amount not less than \$9,000 for at least 6 knowing and willful violations of 47 U.S.C. § 227(b),
15 and an amount not less than \$9,000 for at least 6 knowing and willful violations of 47 U.S.C. §
16 227(c). Alternatively, George seeks an amount not less than \$3,000 for at least 6 negligent
17 violations of 47 U.S.C. § 227(b), and not less than \$3,000 for at least 6 negligent violations of
18 47 U.S.C. § 227(c).

19 385. Heath Getchell personally owns and uses the cellular phone number xxx-xxx-
20 5602. This number is a residential telephone subscription and is Getchell's only telephone.
21 Getchell uses this telephone to communicate with family and friends and keeps the phone on
22 him at all times. In the four years preceding 4/22/2020 (the date Getchell's original Complaint
23 was filed), GoSmith sent Getchell at least 33 telemarketing text messages at this number.
24 GoSmith knowingly and willfully sent these text messages using an automatic telephone
25 dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7).
26 GoSmith knowingly and willfully sent these text messages without instituting procedures that
27 meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and

47 C.F.R. § 64.1200(d). Getchell seeks an amount not less than \$49,500 for at least 33 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$49,500 for at least 33 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Getchell seeks an amount not less than \$16,500 for at least 33 negligent violations of 47 U.S.C. § 227(b), and not less than \$16,500 for at least 33 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Getchell at least 33 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which Getchell seeks an amount not less than \$16,500, attorney's fees, injunctive relief, and treble damages.

386. Matt Gibbons personally owns and uses the cellular phone number xxx-xxx-8254. This number is a residential telephone subscription and is Gibbons's only telephone. Gibbons uses the cell phone to communicate with family and friends and keeps the cell phone on him at all times. Gibbons pays for the cell phone out of his personal bank account. In the four years preceding 4/28/2020 (the date Gibbons's original Complaint was filed), GoSmith sent Gibbons at least 212 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Gibbons seeks an amount not less than \$318,000 for at least 212 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$318,000 for at least 212 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Gibbons seeks an amount not less than \$106,000 for at least 212 negligent violations of 47 U.S.C. § 227(b), and not less than \$106,000 for at least 212 negligent violations of 47 U.S.C. § 227(c).

387. Cory Giffey personally owns and uses the cellular phone number xxx-xxx-9400. This number is a residential telephone subscription. In the four years preceding 4/22/2020 (the date Giffey's original Complaint was filed), GoSmith sent Giffey at least 14 telemarketing text

1 messages at this number. GoSmith knowingly and willfully sent these text messages using an
2 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
3 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
4 procedures that meet the minimum standards required for telemarketing in violation of 47
5 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Giffey seeks an amount not less than \$21,000 for
6 at least 14 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
7 \$21,000 for at least 14 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
8 Giffey seeks an amount not less than \$7,000 for at least 14 negligent violations of 47 U.S.C. §
9 227(b), and not less than \$7,000 for at least 14 negligent violations of 47 U.S.C. § 227(c).
10 Finally, GoSmith sent Giffey at least 14 commercial text messages in violation of RCW §§
11 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in
12 violation of RCW § 80.36.390, for which Giffey seeks an amount not less than \$7,000,
13 attorney's fees, injunctive relief, and treble damages.

14 388. Ronald Gilbert personally owns and uses the cellular phone number xxx-xxx-
15 6433. This number is a residential telephone subscription. In the four years preceding
16 4/24/2020 (the date Gilbert's original Complaint was filed), GoSmith sent Gilbert at least 7
17 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
18 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
19 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
20 text messages without instituting procedures that meet the minimum standards required for
21 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Gilbert seeks an
22 amount not less than \$10,500 for at least 7 knowing and willful violations of 47 U.S.C. §
23 227(b), and an amount not less than \$10,500 for at least 7 knowing and willful violations of 47
24 U.S.C. § 227(c). Alternatively, Gilbert seeks an amount not less than \$3,500 for at least 7
25 negligent violations of 47 U.S.C. § 227(b), and not less than \$3,500 for at least 7 negligent
26 violations of 47 U.S.C. § 227(c).

1 389. Matt Gilbert personally owns and uses the cellular phone number xxx-xxx-1474.
2 This number is a residential telephone subscription and the only telephone used by Gilbert.
3 Gilbert uses the cell phone to communicate with friends and family and keeps the cell phone
4 on him at all times. On 1/25/2008, Gilbert registered this number on the National Do Not Call
5 Registry. In the four years preceding 4/22/2020 (the date Gilbert's original Complaint was
6 filed), GoSmith sent Gilbert at least 121 telemarketing text messages at this number. GoSmith
7 knowingly and willfully sent these text messages using an automatic telephone dialing system
8 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith
9 knowingly and willfully sent these text messages without instituting procedures that meet the
10 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
11 § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith
12 knowingly and willfully sent at least 2 text messages to Gilbert within a 12-month period after
13 Gilbert was registered on the National Do Not Call Registry, including but not limited to the
14 period between 5/6/2016 and 5/6/2017. Gilbert seeks an amount not less than \$181,500 for at
15 least 121 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
16 \$181,500 for at least 121 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
17 Gilbert seeks an amount not less than \$60,500 for at least 121 negligent violations of 47 U.S.C.
18 § 227(b), and not less than \$60,500 for at least 121 negligent violations of 47 U.S.C. § 227(c).

19 390. Tom Gill personally owns and uses the cellular phone number xxx-xxx-7155.
20 This number is a residential telephone subscription. On 7/28/2010, Gill registered this number
21 on the National Do Not Call Registry. In the four years preceding 4/22/2020 (the date Gill's
22 original Complaint was filed), GoSmith sent Gill at least 3 telemarketing text messages at this
23 number. GoSmith knowingly and willfully sent these text messages using an automatic
24 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
25 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
26 procedures that meet the minimum standards required for telemarketing in violation of 47
27 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47

1 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Gill
2 within a 12-month period after Gill was registered on the National Do Not Call Registry,
3 including but not limited to the period between 9/20/2017 and 9/20/2018. Gill seeks an amount
4 not less than \$4,500 for at least 3 knowing and willful violations of 47 U.S.C. § 227(b), and an
5 amount not less than \$4,500 for at least 3 knowing and willful violations of 47 U.S.C. § 227(c).
6 Alternatively, Gill seeks an amount not less than \$1,500 for at least 3 negligent violations of 47
7 U.S.C. § 227(b), and not less than \$1,500 for at least 3 negligent violations of 47 U.S.C. §
8 227(c). Finally, GoSmith sent Gill at least 3 commercial text messages in violation of RCW §§
9 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in
10 violation of RCW § 80.36.390, for which Gill seeks an amount not less than \$1,500, attorney's
11 fees, injunctive relief, and treble damages.

12 391. Justin Glasgow personally owns and uses the cellular phone number xxx-xxx-
13 0008. This number is a residential telephone subscription and is the only telephone used by
14 Glasgow. Glasgow uses this cell phone to communicate with friends and family and keeps the
15 cell phone on him at all times. Glasgow uses the cell phone for limited business purposes. In
16 the four years preceding 01/30/2020 (the date Glasgow's original Complaint was filed),
17 GoSmith sent Glasgow at least 45 telemarketing text messages at this number. GoSmith
18 knowingly and willfully sent these text messages using an automatic telephone dialing system
19 in violation of 47 U.S.C. § 227(b)(1)(A)(iii). GoSmith knowingly and willfully sent these text
20 messages without instituting procedures that meet the minimum standards required for
21 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Glasgow seeks
22 an amount not less than \$67,500 for at least 45 knowing and willful violations of 47 U.S.C. §
23 227(b), and an amount not less than \$67,500 for at least 45 knowing and willful violations of
24 47 U.S.C. § 227(c). Alternatively, Glasgow seeks an amount not less than \$22,500 for at least
25 45 negligent violations of 47 U.S.C. § 227(b), and \$22,500 for at least 45 negligent violations
26 of 47 U.S.C. § 227(c).

392. DJ Glass personally owns and uses the cellular phone number xxx-xxx-2708. This number is a residential telephone subscription and is Glass's only telephone. Glass uses the cell phone to communicate with family and friend and keeps the cell phone on him at all times. Glass pays for the cell phone out of his personal bank account. On 06/22/2017, Glass registered this number on the National Do Not Call Registry. In the four years preceding 01/30/2020 (the date Glass's original Complaint was filed), GoSmith sent Glass at least 69 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Glass within a 12-month period after Glass was registered on the National Do Not Call Registry, including but not limited to the period between 06/22/2017 and 06/22/2018. Glass seeks an amount not less than \$103,500 for at least 69 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$103,500 for at least 69 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Glass seeks an amount not less than \$34,500 for at least 69 negligent violations of 47 U.S.C. § 227(b), and \$34,500 for at least 69 negligent violations of 47 U.S.C. § 227(c).

393. Brian Gobat personally owns and uses the cellular phone number xxx-xxx-9261. Gobat uses this cell phone for his work. In the four years preceding 4/22/2020 (the date Gobat's original Complaint was filed), GoSmith sent Gobat at least 23 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Gobat seeks an amount not less than \$34,500 for at least 23 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than

1 \$34,500 for at least 23 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
2 Gobat seeks an amount not less than \$11,500 for at least 23 negligent violations of 47 U.S.C. §
3 227(b), and not less than \$11,500 for at least 23 negligent violations of 47 U.S.C. § 227(c).
4 Finally, GoSmith sent Gobat at least 23 commercial text messages in violation of RCW §§
5 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in
6 violation of RCW § 80.36.390, for which Gobat seeks an amount not less than \$11,500,
7 attorney's fees, injunctive relief, and treble damages.

8 394. William Gomez personally owns and uses the cellular phone number xxx-xxx-
9 9412. This number is a residential telephone subscription. In the four years preceding
10 1/30/2020 (the date Gomez's original Complaint was filed), GoSmith sent Gomez at least 15
11 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
12 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
13 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
14 text messages without instituting procedures that meet the minimum standards required for
15 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Gomez seeks an
16 amount not less than \$22,500 for at least 15 knowing and willful violations of 47 U.S.C. §
17 227(b), and an amount not less than \$22,500 for at least 15 knowing and willful violations of
18 47 U.S.C. § 227(c). Alternatively, Gomez seeks an amount not less than \$7,500 for at least 15
19 negligent violations of 47 U.S.C. § 227(b), and not less than \$7,500 for at least 15 negligent
20 violations of 47 U.S.C. § 227(c).

21 395. Luis Gomez personally owns and uses the cellular phone number xxx-xxx-7384.
22 This number is a residential telephone subscription. On 9/23/2008, Gomez registered this
23 number on the National Do Not Call Registry. In the four years preceding 4/27/2020 (the date
24 Gomez's original Complaint was filed), GoSmith sent Gomez at least 19 telemarketing text
25 messages at this number. GoSmith knowingly and willfully sent these text messages using an
26 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
27 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting

1 procedures that meet the minimum standards required for telemarketing in violation of 47
2 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
3 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Gomez
4 within a 12-month period after Gomez was registered on the National Do Not Call Registry,
5 including but not limited to the period between 12/14/2016 and 12/14/2017. Gomez seeks an
6 amount not less than \$28,500 for at least 19 knowing and willful violations of 47 U.S.C. §
7 227(b), and an amount not less than \$28,500 for at least 19 knowing and willful violations of
8 47 U.S.C. § 227(c). Alternatively, Gomez seeks an amount not less than \$9,500 for at least 19
9 negligent violations of 47 U.S.C. § 227(b), and not less than \$9,500 for at least 19 negligent
10 violations of 47 U.S.C. § 227(c).

11 396. Pedro Gomez personally owns and uses the cellular phone number xxx-xxx-8364.
12 This number is a residential telephone subscription. In the four years preceding 4/22/2020 (the
13 date Gomez's original Complaint was filed), GoSmith sent Gomez at least 135 telemarketing
14 text messages at this number. GoSmith knowingly and willfully sent these text messages using
15 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
16 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
17 instituting procedures that meet the minimum standards required for telemarketing in violation
18 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Gomez seeks an amount not less than
19 \$202,500 for at least 135 knowing and willful violations of 47 U.S.C. § 227(b), and an amount
20 not less than \$202,500 for at least 135 knowing and willful violations of 47 U.S.C. § 227(c).
21 Alternatively, Gomez seeks an amount not less than \$67,500 for at least 135 negligent
22 violations of 47 U.S.C. § 227(b), and not less than \$67,500 for at least 135 negligent violations
23 of 47 U.S.C. § 227(c). Finally, GoSmith sent Gomez at least 135 commercial text messages in
24 violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of
25 telephone solicitations in violation of RCW § 80.36.390, for which Gomez seeks an amount
26 not less than \$67,500, attorney's fees, injunctive relief, and treble damages.
27

397. Thomas Gonzales personally owns and uses the cellular phone number xxx-xxx-1568. Gonzales uses this cell phone for his work. On 10/17/2009, Gonzales registered this number on the National Do Not Call Registry. In the four years preceding 4/21/2020 (the date Gonzales's original Complaint was filed), GoSmith sent Gonzales at least 122 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). Gonzales seeks an amount not less than \$183,000 for at least 122 knowing and willful violations of 47 U.S.C. § 227(b). Alternatively, Gonzales seeks an amount not less than \$61,000 for at least 122 negligent violations of 47 U.S.C. § 227(b).

398. William Gooch personally owns and uses the cellular phone number xxx-xxx-6097. This number is a residential telephone subscription. In the four years preceding 4/28/2020 (the date Gooch's original Complaint was filed), GoSmith sent Gooch at least 11 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Gooch seeks an amount not less than \$16,500 for at least 11 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$16,500 for at least 11 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Gooch seeks an amount not less than \$5,500 for at least 11 negligent violations of 47 U.S.C. § 227(b), and not less than \$5,500 for at least 11 negligent violations of 47 U.S.C. § 227(c).

399. Matt Goodenough personally owns and uses the cellular phone number xxx-xxx-4689. This number is a residential telephone subscription and Goodenough's only telephone. Goodenough uses the cell phone to communicate with friends and family and keeps the cell phone on him at all times. In the four years preceding 4/28/2020 (the date Goodenough's original Complaint was filed), GoSmith sent Goodenough at least 59 telemarketing text

1 messages at this number. GoSmith knowingly and willfully sent these text messages using an
2 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
3 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
4 procedures that meet the minimum standards required for telemarketing in violation of 47
5 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Goodenough seeks an amount not less than
6 \$88,500 for at least 59 knowing and willful violations of 47 U.S.C. § 227(b), and an amount
7 not less than \$88,500 for at least 59 knowing and willful violations of 47 U.S.C. § 227(c).
8 Alternatively, Goodenough seeks an amount not less than \$29,500 for at least 59 negligent
9 violations of 47 U.S.C. § 227(b), and not less than \$29,500 for at least 59 negligent violations
10 of 47 U.S.C. § 227(c).

11 400. Robert Goold personally owns and uses the cellular phone number xxx-xxx-3270.
12 This number is a residential telephone subscription. On 3/9/2019, Goold registered this number
13 on the National Do Not Call Registry. In the four years preceding 4/21/2020 (the date Goold's
14 original Complaint was filed), GoSmith sent Goold at least 43 telemarketing text messages at
15 this number. GoSmith knowingly and willfully sent these text messages using an automatic
16 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
17 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
18 procedures that meet the minimum standards required for telemarketing in violation of 47
19 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
20 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Goold
21 within a 12-month period after Goold was registered on the National Do Not Call Registry,
22 including but not limited to the period between 3/9/2019 and 1/30/2020. Goold seeks an
23 amount not less than \$64,500 for at least 43 knowing and willful violations of 47 U.S.C. §
24 227(b), and an amount not less than \$64,500 for at least 43 knowing and willful violations of
25 47 U.S.C. § 227(c). Alternatively, Goold seeks an amount not less than \$21,500 for at least 43
26 negligent violations of 47 U.S.C. § 227(b), and not less than \$21,500 for at least 43 negligent
27 violations of 47 U.S.C. § 227(c).

1 401. Tameka Gordon personally owns and uses the cellular phone number xxx-xxx-
2 5411. This number is a residential telephone subscription. In the four years preceding
3 1/30/2020 (the date Gordon's original Complaint was filed), GoSmith sent Gordon at least 26
4 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
5 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
6 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
7 text messages without instituting procedures that meet the minimum standards required for
8 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Gordon seeks an
9 amount not less than \$39,000 for at least 26 knowing and willful violations of 47 U.S.C. §
10 227(b), and an amount not less than \$39,000 for at least 26 knowing and willful violations of
11 47 U.S.C. § 227(c). Alternatively, Gordon seeks an amount not less than \$13,000 for at least 26
12 negligent violations of 47 U.S.C. § 227(b), and not less than \$13,000 for at least 26 negligent
13 violations of 47 U.S.C. § 227(c).

14 402. John Gorham personally owns and uses the cellular phone number xxx-xxx-9504.
15 This number is a residential telephone subscription and is Gorham's only telephone. Gorham
16 uses this cell phone to communicate with family and friends and keeps the cell phone on him at
17 all times. In the four years preceding 4/27/2020 (the date Gorham's original Complaint was
18 filed), GoSmith sent Gorham at least 107 telemarketing text messages at this number. GoSmith
19 knowingly and willfully sent these text messages using an automatic telephone dialing system
20 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith
21 knowingly and willfully sent these text messages without instituting procedures that meet the
22 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
23 § 64.1200(d). Gorham seeks an amount not less than \$160,500 for at least 107 knowing and
24 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$160,500 for at least 107
25 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Gorham seeks an amount
26 not less than \$53,500 for at least 107 negligent violations of 47 U.S.C. § 227(b), and not less
27 than \$53,500 for at least 107 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent

1 Gorham at least 107 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090,
2 80.36.400, and an undetermined number of telephone solicitations in violation of RCW §
3 80.36.390, for which Gorham seeks an amount not less than \$53,500, attorney's fees,
4 injunctive relief, and treble damages.

5 403. Mark Gotti personally owns and uses the cellular phone number xxx-xxx-9318.
6 This number is a residential telephone subscription. On 2/21/2008, Gotti registered this number
7 on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date Gotti's
8 original Complaint was filed), GoSmith sent Gotti at least 2 telemarketing text messages at this
9 number. GoSmith knowingly and willfully sent these text messages using an automatic
10 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
11 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
12 procedures that meet the minimum standards required for telemarketing in violation of 47
13 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
14 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Gotti
15 within a 12-month period after Gotti was registered on the National Do Not Call Registry,
16 including but not limited to the period between 5/1/2017 and 5/1/2018. Gotti seeks an amount
17 not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(b), and an
18 amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(c).
19 Alternatively, Gotti seeks an amount not less than \$1,000 for at least 2 negligent violations of
20 47 U.S.C. § 227(b), and not less than \$1,000 for at least 2 negligent violations of 47 U.S.C. §
21 227(c).

22 404. Wes Goumaz personally owns and uses the cellular phone number xxx-xxx-2214.
23 This number is a residential telephone subscription. In the four years preceding 4/22/2020 (the
24 date Goumaz's original Complaint was filed), GoSmith sent Goumaz at least 70 telemarketing
25 text messages at this number. GoSmith knowingly and willfully sent these text messages using
26 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
27 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without

1 instituting procedures that meet the minimum standards required for telemarketing in violation
 2 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Goumaz seeks an amount not less than
 3 \$105,000 for at least 70 knowing and willful violations of 47 U.S.C. § 227(b), and an amount
 4 not less than \$105,000 for at least 70 knowing and willful violations of 47 U.S.C. § 227(c).
 5 Alternatively, Goumaz seeks an amount not less than \$35,000 for at least 70 negligent
 6 violations of 47 U.S.C. § 227(b), and not less than \$35,000 for at least 70 negligent violations
 7 of 47 U.S.C. § 227(c). Finally, GoSmith sent Goumaz at least 70 commercial text messages in
 8 violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of
 9 telephone solicitations in violation of RCW § 80.36.390, for which Goumaz seeks an amount
 10 not less than \$35,000, attorney's fees, injunctive relief, and treble damages.

11 405. Tammy Gouveia personally owns and uses the cellular phone number xxx-xxx-
 12 7614. This number is a residential telephone subscription and Gouveia's only telephone.
 13 Gouveia uses this cell phone to communicate with family and friends and keeps the phone with
 14 her at all times. In the four years preceding 01/30/2020 (the date Gouveia's original Complaint
 15 was filed), GoSmith sent Gouveia at least 3 telemarketing text messages at this number.
 16 GoSmith knowingly and willfully sent these text messages using an automatic telephone
 17 dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii). GoSmith knowingly and willfully
 18 sent these text messages without instituting procedures that meet the minimum standards
 19 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d).
 20 Gouveia seeks an amount not less than \$4,500 for at least 3 knowing and willful violations of
 21 47 U.S.C. § 227(b), and an amount not less than \$4,500 for at least 3 knowing and willful
 22 violations of 47 U.S.C. § 227(c). Alternatively, Gouveia seeks an amount not less than \$1,500
 23 for at least 3 negligent violations of 47 U.S.C. § 227(b), and \$1,500 for at least 3 negligent
 24 violations of 47 U.S.C. § 227(c).

25 406. Ronald Graff personally owns and uses the cellular phone number xxx-xxx-5299.
 26 This number is a residential telephone subscription and Garff's only telephone. The cell phone
 27 is paid for out of Graff's personal bank account and is on a personal family plan. Graff uses this

1 cell phone to communicate with family and friends. Graff keeps this phone on him at all times
2 and charges the cell phone on his nightstand by his bed every night. On 07/01/2003, Graff
3 registered this number on the National Do Not Call Registry. In the four years preceding
4 01/30/2020 (the date Graff's original Complaint was filed), GoSmith sent Graff at least 5
5 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
6 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
7 227(b)(1)(A)(iii). GoSmith knowingly and willfully sent these text messages without
8 instituting procedures that meet the minimum standards required for telemarketing in violation
9 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and
10 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Graff
11 within a 12-month period after Graff was registered on the National Do Not Call Registry,
12 including but not limited to the period between 05/27/2017 and 05/27/2018. Graff seeks an
13 amount not less than \$7,500 for at least 5 knowing and willful violations of 47 U.S.C. § 227(b),
14 and an amount not less than \$7,500 for at least 5 knowing and willful violations of 47 U.S.C. §
15 227(c). Alternatively, Graff seeks an amount not less than \$2,500 for at least 5 negligent
16 violations of 47 U.S.C. § 227(b), and \$2,500 for at least 5 negligent violations of 47 U.S.C. §
17 227(c).

18 407. Chris Grasso personally owns and uses the cellular phone number xxx-xxx-7342.
19 This number is a residential telephone subscription. On 1/10/2006, Grasso registered this
20 number on the National Do Not Call Registry. In the four years preceding 4/21/2020 (the date
21 Grasso's original Complaint was filed), GoSmith sent Grasso at least 31 telemarketing text
22 messages at this number. GoSmith knowingly and willfully sent these text messages using an
23 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
24 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
25 procedures that meet the minimum standards required for telemarketing in violation of 47
26 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
27 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Grasso

1 within a 12-month period after Grasso was registered on the National Do Not Call Registry,
2 including but not limited to the period between 4/21/2016 and 4/21/2017. Grasso seeks an
3 amount not less than \$46,500 for at least 31 knowing and willful violations of 47 U.S.C. §
4 227(b), and an amount not less than \$46,500 for at least 31 knowing and willful violations of
5 47 U.S.C. § 227(c). Alternatively, Grasso seeks an amount not less than \$15,500 for at least 31
6 negligent violations of 47 U.S.C. § 227(b), and not less than \$15,500 for at least 31 negligent
7 violations of 47 U.S.C. § 227(c).

8 408. John Gray personally owns and uses the cellular phone number xxx-xxx-6528.
9 This number is a residential telephone subscription. On 6/11/2005, Gray registered this number
10 on the National Do Not Call Registry. In the four years preceding 4/22/2020 (the date Gray's
11 original Complaint was filed), GoSmith sent Gray at least 8 telemarketing text messages at this
12 number. GoSmith knowingly and willfully sent these text messages using an automatic
13 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
14 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
15 procedures that meet the minimum standards required for telemarketing in violation of 47
16 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
17 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Gray
18 within a 12-month period after Gray was registered on the National Do Not Call Registry,
19 including but not limited to the period between 5/25/2016 and 5/25/2017. Gray seeks an
20 amount not less than \$12,000 for at least 8 knowing and willful violations of 47 U.S.C. §
21 227(b), and an amount not less than \$12,000 for at least 8 knowing and willful violations of 47
22 U.S.C. § 227(c). Alternatively, Gray seeks an amount not less than \$4,000 for at least 8
23 negligent violations of 47 U.S.C. § 227(b), and not less than \$4,000 for at least 8 negligent
24 violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Gray at least 8 commercial text
25 messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined
26 number of telephone solicitations in violation of RCW § 80.36.390, for which Gray seeks an
27 amount not less than \$4,000, attorney's fees, injunctive relief, and treble damages.

409. Michael Green personally owns and uses the cellular phone number xxx-xxx-9753. This number is a residential telephone subscription. In the four years preceding 4/21/2020 (the date Green's original Complaint was filed), GoSmith sent Green at least 697 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Green seeks an amount not less than \$1,045,500 for at least 697 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$1,045,500 for at least 697 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Green seeks an amount not less than \$348,500 for at least 697 negligent violations of 47 U.S.C. § 227(b), and not less than \$348,500 for at least 697 negligent violations of 47 U.S.C. § 227(c).

410. Tamyko Green personally owns and uses the cellular phone number xxx-xxx-4003. This number is a residential telephone subscription. On 4/13/2014, Green registered this number on the National Do Not Call Registry. In the four years preceding 4/27/2020 (the date Green's original Complaint was filed), GoSmith sent Green at least 2 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Green within a 12-month period after Green was registered on the National Do Not Call Registry, including but not limited to the period between 4/27/2016 and 4/27/2017. Green seeks an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. §

1 227(c). Alternatively, Green seeks an amount not less than \$1,000 for at least 2 negligent
2 violations of 47 U.S.C. § 227(b), and not less than \$1,000 for at least 2 negligent violations of
3 47 U.S.C. § 227(c).

4 411. Morgan Griffin personally owns and uses the cellular phone number xxx-xxx-
5 7757. This number is a residential telephone subscription and Griffin's only telephone. Griffin
6 uses this cell phone to communicate with family and friends and keeps this cell phone on her at
7 all times. Griff charges the cell phone by her bed on her nightstand at night. In the four years
8 preceding 4/28/2020 (the date Griffin's original Complaint was filed), GoSmith sent Griffin at
9 least 297 telemarketing text messages at this number. GoSmith knowingly and willfully sent
10 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
11 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
12 text messages without instituting procedures that meet the minimum standards required for
13 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Griffin seeks an
14 amount not less than \$445,500 for at least 297 knowing and willful violations of 47 U.S.C. §
15 227(b), and an amount not less than \$445,500 for at least 297 knowing and willful violations of
16 47 U.S.C. § 227(c). Alternatively, Griffin seeks an amount not less than \$148,500 for at least
17 297 negligent violations of 47 U.S.C. § 227(b), and not less than \$148,500 for at least 297
18 negligent violations of 47 U.S.C. § 227(c).

19 412. Vitaliy Grishko personally owns and uses the cellular phone number xxx-xxx-
20 0469. This number is a residential telephone subscription and Grishko's only telephone. In the
21 four years preceding 4/27/2020 (the date Grishko's original Complaint was filed), GoSmith
22 sent Grishko at least 26 telemarketing text messages at this number. Grishko tried tirelessly to
23 stop the unsolicited and invasive spam from GoSmith but was unsuccessful in doing so. The
24 messages were invasive and incredibly annoying to Grishko. GoSmith knowingly and willfully
25 sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C.
26 § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
27 text messages without instituting procedures that meet the minimum standards required for

1 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Grishko seeks an
2 amount not less than \$39,000 for at least 26 knowing and willful violations of 47 U.S.C. §
3 227(b), and an amount not less than \$39,000 for at least 26 knowing and willful violations of
4 47 U.S.C. § 227(c). Alternatively, Grishko seeks an amount not less than \$13,000 for at least
5 26 negligent violations of 47 U.S.C. § 227(b), and not less than \$13,000 for at least 26
6 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Grishko at least 26
7 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an
8 undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which
9 Grishko seeks an amount not less than \$13,000, attorney's fees, injunctive relief, and treble
10 damages.

11 413. Travis Grob personally owns and uses the cellular phone number xxx-xxx-7583.
12 This number is a residential telephone subscription and Grob's only telephone. Grob used the
13 cell phone to communicate with family and friends and keeps the cell phone on him at all
14 times. In the four years preceding 4/22/2020 (the date Grob's original Complaint was filed),
15 GoSmith sent Grob at least 345 telemarketing text messages at this number. GoSmith
16 knowingly and willfully sent these text messages using an automatic telephone dialing system
17 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith
18 knowingly and willfully sent these text messages without instituting procedures that meet the
19 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
20 § 64.1200(d). Grob seeks an amount not less than \$517,500 for at least 345 knowing and
21 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$517,500 for at least 345
22 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Grob seeks an amount not
23 less than \$172,500 for at least 345 negligent violations of 47 U.S.C. § 227(b), and not less than
24 \$172,500 for at least 345 negligent violations of 47 U.S.C. § 227(c).

25 414. Jo Groue personally owns and uses the cellular phone number xxx-xxx-4877. This
26 number is a residential telephone subscription. In the four years preceding 4/22/2020 (the date
27 Groue's original Complaint was filed), GoSmith sent Groue at least 27 telemarketing text

1 messages at this number. GoSmith knowingly and willfully sent these text messages using an
 2 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
 3 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
 4 procedures that meet the minimum standards required for telemarketing in violation of 47
 5 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Groue seeks an amount not less than \$40,500 for
 6 at least 27 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
 7 \$40,500 for at least 27 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
 8 Groue seeks an amount not less than \$13,500 for at least 27 negligent violations of 47 U.S.C. §
 9 227(b), and not less than \$13,500 for at least 27 negligent violations of 47 U.S.C. § 227(c).
 10 Finally, GoSmith sent Groue at least 27 commercial text messages in violation of RCW §§
 11 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in
 12 violation of RCW § 80.36.390, for which Groue seeks an amount not less than \$13,500,
 13 attorney's fees, injunctive relief, and treble damages.

14 415. Kris Grover personally owns and uses the cellular phone number xxx-xxx-1194.
 15 This number is a residential telephone subscription. In the four years preceding 4/22/2020 (the
 16 date Grover's original Complaint was filed), GoSmith sent Grover at least 4 telemarketing text
 17 messages at this number. GoSmith knowingly and willfully sent these text messages using an
 18 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
 19 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
 20 procedures that meet the minimum standards required for telemarketing in violation of 47
 21 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Grover seeks an amount not less than \$6,000 for
 22 at least 4 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
 23 \$6,000 for at least 4 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
 24 Grover seeks an amount not less than \$2,000 for at least 4 negligent violations of 47 U.S.C. §
 25 227(b), and not less than \$2,000 for at least 4 negligent violations of 47 U.S.C. § 227(c).

26 416. David Gruce personally owns and uses the cellular phone number xxx-xxx-1300.
 27 This number is a residential telephone subscription. This number is a personal phone and is

1 different from his business phone number xxx-xxx-0095. Gruce uses xxx-xxx-1300 to
2 communicate with family and friends and keeps the phone on him at all times. Gruce pays for
3 xxx-xxx-1300 out of his personal bank account. On 3/3/2006, Gruce registered this number on
4 the National Do Not Call Registry. In the four years preceding 4/29/2020 (the date Gruce's
5 original Complaint was filed), GoSmith sent Gruce at least 18 telemarketing text messages at
6 this number. GoSmith knowingly and willfully sent these text messages using an automatic
7 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
8 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
9 procedures that meet the minimum standards required for telemarketing in violation of 47
10 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
11 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Gruce
12 within a 12-month period after Gruce was registered on the National Do Not Call Registry,
13 including but not limited to the period between 4/29/2016 and 4/29/2017. Gruce seeks an
14 amount not less than \$27,000 for at least 18 knowing and willful violations of 47 U.S.C. §
15 227(b), and an amount not less than \$27,000 for at least 18 knowing and willful violations of
16 47 U.S.C. § 227(c). Alternatively, Gruce seeks an amount not less than \$9,000 for at least 18
17 negligent violations of 47 U.S.C. § 227(b), and not less than \$9,000 for at least 18 negligent
18 violations of 47 U.S.C. § 227(c).

19 417. Jewel Gurule personally owns and uses the cellular phone number xxx-xxx-0315.
20 This number is a residential telephone subscription and is Gurule's only telephone. Gurule uses
21 this cell phone to communicate with friends and family. Gurule pays for the cell phone out of
22 his personal bank account. Gurule has the cell phone at all times and charges it near his bed
23 side at night. In the four years preceding 4/22/2020 (the date Gurule's original Complaint was
24 filed), GoSmith sent Gurule at least 254 telemarketing text messages at this number. GoSmith
25 knowingly and willfully sent these text messages using an automatic telephone dialing system
26 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith
27 knowingly and willfully sent these text messages without instituting procedures that meet the

1 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
2 § 64.1200(d). Gurule seeks an amount not less than \$381,000 for at least 254 knowing and
3 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$381,000 for at least 254
4 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Gurule seeks an amount
5 not less than \$127,000 for at least 254 negligent violations of 47 U.S.C. § 227(b), and not less
6 than \$127,000 for at least 254 negligent violations of 47 U.S.C. § 227(c).

7 418. Sean Gustin personally owns and uses the cellular phone number xxx-xxx-7935.
8 Gustin uses this cell phone for work and personal purposes. Gustin communicates with family
9 and friends on this cell phone and carries this cell phone with him at all times. In the four
10 years preceding 4/28/2020 (the date Gustin's original Complaint was filed), GoSmith sent
11 Gustin at least 19 telemarketing text messages at this number. GoSmith knowingly and
12 willfully sent these text messages using an automatic telephone dialing system in violation of
13 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully
14 sent these text messages without instituting procedures that meet the minimum standards
15 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d).
16 Gustin seeks an amount not less than \$28,500 for at least 19 knowing and willful violations of
17 47 U.S.C. § 227(b), and an amount not less than \$28,500 for at least 19 knowing and willful
18 violations of 47 U.S.C. § 227(c). Alternatively, Gustin seeks an amount not less than \$9,500
19 for at least 19 negligent violations of 47 U.S.C. § 227(b), and not less than \$9,500 for at least
20 19 negligent violations of 47 U.S.C. § 227(c).

21 419. Charles Gutaukus personally owns and uses the cellular phone number xxx-xxx-
22 0509. Gutaukus uses this phone for work. In the four years preceding 01/30/2020 (the date
23 Gutaukus's original Complaint was filed), GoSmith sent Gutaukus an average of 5
24 telemarketing text messages per week at this number, with some weeks reaching as high as 15
25 messages per week. GoSmith sent at least 1.045 text messages to Gutaukus. As a result,
26 Gutaukus was charged substantial overage fees on his cell phone plan and was forced to
27 change his plan to a more expensive one to prevent the overages. GoSmith knowingly and

1 willfully sent these text messages using an automatic telephone dialing system in violation of
 2 47 U.S.C. § 227(b)(1)(A)(iii). Gutaukus seeks an amount not less than \$1,567,500 for at least
 3 1,045 knowing and willful violations of 47 U.S.C. § 227(b). Alternatively, Gutaukus seeks an
 4 amount not less than \$522,500 for at least 1,045 negligent violations of 47 U.S.C. § 227(b).

5 420. Jody Gutierrez personally owns and uses the cellular phone number xxx-xxx-
 6 5394. This number is a residential telephone subscription. In the four years preceding
 7 4/28/2020 (the date Gutierrez's original Complaint was filed), GoSmith sent Gutierrez at least
 8 47 telemarketing text messages at this number. GoSmith knowingly and willfully sent these
 9 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
 10 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
 11 text messages without instituting procedures that meet the minimum standards required for
 12 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Gutierrez seeks
 13 an amount not less than \$70,500 for at least 47 knowing and willful violations of 47 U.S.C. §
 14 227(b), and an amount not less than \$70,500 for at least 47 knowing and willful violations of
 15 47 U.S.C. § 227(c). Alternatively, Gutierrez seeks an amount not less than \$23,500 for at least
 16 47 negligent violations of 47 U.S.C. § 227(b), and not less than \$23,500 for at least 47
 17 negligent violations of 47 U.S.C. § 227(c).

18 421. Juan Gutierrez personally owns and uses the cellular phone number xxx-xxx-
 19 5100. This number is a residential telephone subscription. In the four years preceding
 20 4/22/2020 (the date Gutierrez's original Complaint was filed), GoSmith sent Gutierrez at least
 21 43 telemarketing text messages at this number. GoSmith knowingly and willfully sent these
 22 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
 23 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
 24 text messages without instituting procedures that meet the minimum standards required for
 25 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Gutierrez seeks
 26 an amount not less than \$64,500 for at least 43 knowing and willful violations of 47 U.S.C. §
 27 227(b), and an amount not less than \$64,500 for at least 43 knowing and willful violations of

47 U.S.C. § 227(c). Alternatively, Gutierrez seeks an amount not less than \$21,500 for at least 43 negligent violations of 47 U.S.C. § 227(b), and not less than \$21,500 for at least 43 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Gutierrez at least 43 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which Gutierrez seeks an amount not less than \$21,500, attorney's fees, injunctive relief, and treble damages.

422. Todd Haberkorn personally owns and uses the cellular phone number xxx-xxx-7436. Haberkorn uses this cell phone for work. In the four years preceding 4/22/2020 (the date Haberkorn's original Complaint was filed), GoSmith sent Haberkorn at least 7 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). Haberkorn seeks an amount not less than \$10,500 for at least 7 knowing and willful violations of 47 U.S.C. § 227(b). Alternatively, Haberkorn seeks an amount not less than \$3,500 for at least 7 negligent violations of 47 U.S.C. § 227(b).

423. Jonathan Haddeman personally owns and uses the cellular phone number xxx-xxx-6944. This number is a residential telephone subscription. In the four years preceding 4/27/2020 (the date Haddeman's original Complaint was filed), GoSmith sent Haddeman at least 7 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Haddeman seeks an amount not less than \$10,500 for at least 7 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$10,500 for at least 7 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Haddeman seeks an amount not less than \$3,500 for at least 7 negligent violations of 47 U.S.C. § 227(b), and not less than \$3,500 for at least 7 negligent

1 violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Haddeman at least 7 commercial text
2 messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined
3 number of telephone solicitations in violation of RCW § 80.36.390, for which Haddeman seeks
4 an amount not less than \$3,500, attorney's fees, injunctive relief, and treble damages.

5 424. Scott Hall personally owns and uses the cellular phone number xxx-xxx-5816.
6 This number is a residential telephone subscription. In the four years preceding 4/21/2020 (the
7 date Hall's original Complaint was filed), GoSmith sent Hall at least 24 telemarketing text
8 messages at this number. GoSmith knowingly and willfully sent these text messages using an
9 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
10 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
11 procedures that meet the minimum standards required for telemarketing in violation of 47
12 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Hall seeks an amount not less than \$36,000 for at
13 least 24 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
14 \$36,000 for at least 24 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
15 Hall seeks an amount not less than \$12,000 for at least 24 negligent violations of 47 U.S.C. §
16 227(b), and not less than \$12,000 for at least 24 negligent violations of 47 U.S.C. § 227(c).

17 425. John Hamilton personally owns and uses the cellular phone number xxx-xxx-
18 4283. Hamilton uses this phone for work. In the four years preceding 01/30/2020 (the date
19 Hamilton's original Complaint was filed), GoSmith sent Hamilton at least 5 telemarketing text
20 messages at this number. GoSmith knowingly and willfully sent these text messages using an
21 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii). Hamilton
22 seeks an amount not less than \$7,500 for at least 5 knowing and willful violations of 47 U.S.C.
23 § 227(b). Alternatively, Hamilton seeks an amount not less than \$2,500 for at least 5 negligent
24 violations of 47 U.S.C. § 227(b).

25 426. Keir Hamlin personally owns and uses the cellular phone number xxx-xxx-9599.
26 This number is a residential telephone subscription and Hamlin's only telephone. Hamlin uses
27 the cell phone to communicate with friends and family and has the cell phone on him at all

1 times. Hamlin charges the cell phone in his bedroom at night. In the four years preceding
2 01/30/2020 (the date Hamlin's original Complaint was filed), GoSmith sent Hamlin at least 15
3 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
4 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
5 227(b)(1)(A)(iii). GoSmith knowingly and willfully sent these text messages without
6 instituting procedures that meet the minimum standards required for telemarketing in violation
7 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Hamlin seeks an amount not less than
8 \$22,500 for at least 15 knowing and willful violations of 47 U.S.C. § 227(b), and an amount
9 not less than \$22,500 for at least 15 knowing and willful violations of 47 U.S.C. § 227(c).
10 Alternatively, Hamlin seeks an amount not less than \$7,500 for at least 15 negligent violations
11 of 47 U.S.C. § 227(b), and \$7,500 for at least 15 negligent violations of 47 U.S.C. § 227(c).

12 427. Brian Hammers personally owns and uses the cellular phone number xxx-xxx-
13 5875. This number is a residential telephone subscription. On 9/1/2008, Hammers registered
14 this number on the National Do Not Call Registry. In the four years preceding 4/28/2020 (the
15 date Hammers's original Complaint was filed), GoSmith sent Hammers at least 5 telemarketing
16 text messages at this number. GoSmith knowingly and willfully sent these text messages using
17 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
18 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
19 instituting procedures that meet the minimum standards required for telemarketing in violation
20 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and
21 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to
22 Hammers within a 12-month period after Hammers was registered on the National Do Not Call
23 Registry, including but not limited to the period between 10/22/2016 and 10/22/2017.
24 Hammers seeks an amount not less than \$7,500 for at least 5 knowing and willful violations of
25 47 U.S.C. § 227(b), and an amount not less than \$7,500 for at least 5 knowing and willful
26 violations of 47 U.S.C. § 227(c). Alternatively, Hammers seeks an amount not less than \$2,500
27

1 for at least 5 negligent violations of 47 U.S.C. § 227(b), and not less than \$2,500 for at least 5
2 negligent violations of 47 U.S.C. § 227(c).

3 428. Ryan Hansen personally owns and uses the cellular phone number xxx-xxx-3494.
4 This number is a residential telephone subscription and Hansen's only telephone. Hansen uses
5 this cell phone to communicate with family and friends and has the cell phone on him at all
6 times. Hansen charges the cell phone by his bedside at night and pays for the cell phone out of
7 a personal bank account. In the four years preceding 4/22/2020 (the date Hansen's original
8 Complaint was filed), GoSmith sent Hansen at least 223 telemarketing text messages at this
9 number. GoSmith knowingly and willfully sent these text messages using an automatic
10 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
11 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
12 procedures that meet the minimum standards required for telemarketing in violation of 47
13 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Hansen seeks an amount not less than \$334,500
14 for at least 223 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less
15 than \$334,500 for at least 223 knowing and willful violations of 47 U.S.C. § 227(c).

16 Alternatively, Hansen seeks an amount not less than \$111,500 for at least 223 negligent
17 violations of 47 U.S.C. § 227(b), and not less than \$111,500 for at least 223 negligent
18 violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Hansen at least 223 commercial text
19 messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined
20 number of telephone solicitations in violation of RCW § 80.36.390, for which Hansen seeks an
21 amount not less than \$111,500, attorney's fees, injunctive relief, and treble damages.

22 429. J. Andy Hardwick personally owns and uses the cellular phone number xxx-xxx-
23 2212. This number is a residential telephone subscription and Hardwick's only telephone.
24 Hardwick uses this cell phone to communicate with friends and family and keeps this cell
25 phone on him at all times. On 11/26/2004, Hardwick registered this number on the National Do
26 Not Call Registry. In the four years preceding 4/28/2020 (the date Hardwick's original
27 Complaint was filed), GoSmith sent Hardwick at least 27 telemarketing text messages at this

1 number. GoSmith knowingly and willfully sent these text messages using an automatic
2 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
3 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
4 procedures that meet the minimum standards required for telemarketing in violation of 47
5 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
6 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to
7 Hardwick within a 12-month period after Hardwick was registered on the National Do Not Call
8 Registry, including but not limited to the period between 12/20/2016 and 7/18/2017. Hardwick
9 seeks an amount not less than \$40,500 for at least 27 knowing and willful violations of 47
10 U.S.C. § 227(b), and an amount not less than \$40,500 for at least 27 knowing and willful
11 violations of 47 U.S.C. § 227(c). Alternatively, Hardwick seeks an amount not less than
12 \$13,500 for at least 27 negligent violations of 47 U.S.C. § 227(b), and not less than \$13,500 for
13 at least 27 negligent violations of 47 U.S.C. § 227(c).

14 430. Michael Hargett personally owns and uses the cellular phone number xxx-xxx-
15 0817. This number is a residential telephone subscription. Hargett uses this cell phone for
16 work. Hargett also receives personal calls and text messages on this phone. In the four years
17 preceding 4/22/2020 (the date Hargett's original Complaint was filed), GoSmith sent Hargett at
18 least 867 telemarketing text messages at this number. GoSmith knowingly and willfully sent
19 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
20 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
21 text messages without instituting procedures that meet the minimum standards required for
22 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Hargett seeks an
23 amount not less than \$1,300,500 for at least 867 knowing and willful violations of 47 U.S.C. §
24 227(b), and an amount not less than \$1,300,500 for at least 867 knowing and willful violations
25 of 47 U.S.C. § 227(c). Alternatively, Hargett seeks an amount not less than \$433,500 for at
26 least 867 negligent violations of 47 U.S.C. § 227(b), and not less than \$433,500 for at least 867
27 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Hargett at least 867

1 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an
2 undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which
3 Hargett seeks an amount not less than \$433,500, attorney's fees, injunctive relief, and treble
4 damages.

5 431. Scott Harman personally owns and uses the cellular phone number xxx-xxx-1760.
6 This number is a residential telephone subscription. Harman uses this number for personal
7 purposes only. On 3/23/2008, Harman registered this number on the National Do Not Call
8 Registry. In the four years preceding 4/22/2020 (the date Harman's original Complaint was
9 filed), GoSmith sent Harman at least 29 telemarketing text messages and telephone calls at this
10 number. The text messages and telephone calls often came during the evening and interrupted
11 Harman's time with his family. Harman tried tirelessly to stop the text messages and telephone
12 calls from GoSmith. Despite his repeated demands that the messages and calls stop, GoSmith
13 continued relentlessly messaging and calling Harman. GoSmith knowingly and willfully sent
14 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
15 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
16 text messages without instituting procedures that meet the minimum standards required for
17 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
18 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
19 least 2 text messages to Harman within a 12-month period after Harman was registered on the
20 National Do Not Call Registry, including but not limited to the period between 4/22/2016 and
21 4/22/2017. Harman seeks an amount not less than \$43,500 for at least 29 knowing and willful
22 violations of 47 U.S.C. § 227(b), and an amount not less than \$43,500 for at least 29 knowing
23 and willful violations of 47 U.S.C. § 227(c). Alternatively, Harman seeks an amount not less
24 than \$14,500 for at least 29 negligent violations of 47 U.S.C. § 227(b), and not less than
25 \$14,500 for at least 29 negligent violations of 47 U.S.C. § 227(c).

26 432. Demetrious Harmon personally owns and uses the cellular phone number xxx-
27 xxx-5251. This number is a residential telephone subscription and Harmon's only telephone.

1 Harmon uses this cell phone to communicate with friends and family and carries the cell phone
2 with his at all hours. Harmon charges the cell phone near his bedside at night. In the four years
3 preceding 01/30/2020 (the date Harmon's original Complaint was filed), GoSmith sent Harmon
4 at least 27 telemarketing text messages at this number. GoSmith knowingly and willfully sent
5 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
6 227(b)(1)(A)(iii). GoSmith knowingly and willfully sent these text messages without
7 instituting procedures that meet the minimum standards required for telemarketing in violation
8 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Harmon seeks an amount not less than
9 \$40,500 for at least 27 knowing and willful violations of 47 U.S.C. § 227(b), and an amount
10 not less than \$40,500 for at least 27 knowing and willful violations of 47 U.S.C. § 227(c).
11 Alternatively, Harmon seeks an amount not less than \$13,500 for at least 27 negligent
12 violations of 47 U.S.C. § 227(b), and \$13,500 for at least 27 negligent violations of 47 U.S.C. §
13 227(c).

14 433. Scott Harris personally owns and uses the cellular phone number xxx-xxx-6421.
15 This number is a residential telephone subscription. In the four years preceding 4/21/2020 (the
16 date Harris's original Complaint was filed), GoSmith sent Harris at least 56 telemarketing text
17 messages at this number. GoSmith knowingly and willfully sent these text messages using an
18 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
19 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
20 procedures that meet the minimum standards required for telemarketing in violation of 47
21 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Harris seeks an amount not less than \$84,000 for
22 at least 56 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
23 \$84,000 for at least 56 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
24 Harris seeks an amount not less than \$28,000 for at least 56 negligent violations of 47 U.S.C. §
25 227(b), and not less than \$28,000 for at least 56 negligent violations of 47 U.S.C. § 227(c).

26 434. Michael Harris personally owns and uses the cellular phone number xxx-xxx-
27 9297. This number is a residential telephone subscription and is Harris's only phone, a cell

1 phone which he uses for all his personal calls. On 12/13/2004, Harris registered this number on
 2 the National Do Not Call Registry. In the four years preceding 4/29/2020 (the date Harris's
 3 original Complaint was filed), GoSmith sent Harris at least 57 telemarketing text messages and
 4 calls at this number. The calls and texts stopped when he started blocking the numbers.
 5 GoSmith knowingly and willfully sent these text messages and calls using an automatic
 6 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
 7 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages and calls without
 8 instituting procedures that meet the minimum standards required for telemarketing in violation
 9 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and
 10 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages and
 11 calls to Harris within a 12-month period after Harris was registered on the National Do Not
 12 Call Registry, including but not limited to the period between 4/29/2016 and 4/29/2017. Harris
 13 seeks an amount not less than \$85,500 for at least 57 knowing and willful violations of 47
 14 U.S.C. § 227(b), and an amount not less than \$85,500 for at least 57 knowing and willful
 15 violations of 47 U.S.C. § 227(c). Alternatively, Harris seeks an amount not less than \$28,500
 16 for at least 57 negligent violations of 47 U.S.C. § 227(b), and not less than \$28,500 for at least
 17 57 negligent violations of 47 U.S.C. § 227(c).

18 435. Morgan Harris personally owns and uses the cellular phone number xxx-xxx-
 19 7508. This number is a residential telephone subscription. In the four years preceding
 20 4/22/2020 (the date Harris's original Complaint was filed), GoSmith sent Harris at least 21
 21 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
 22 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
 23 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
 24 text messages without instituting procedures that meet the minimum standards required for
 25 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Harris seeks an
 26 amount not less than \$31,500 for at least 21 knowing and willful violations of 47 U.S.C. §
 27 227(b), and an amount not less than \$31,500 for at least 21 knowing and willful violations of

47 U.S.C. § 227(c). Alternatively, Harris seeks an amount not less than \$10,500 for at least 21 negligent violations of 47 U.S.C. § 227(b), and not less than \$10,500 for at least 21 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Harris at least 21 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which Harris seeks an amount not less than \$10,500, attorney's fees, injunctive relief, and treble damages.

436. Andrea Harris personally owns and uses the cellular phone number xxx-xxx-4204. This number is a residential telephone subscription. In the four years preceding 4/22/2020 (the date Harris's original Complaint was filed), GoSmith sent Harris at least 27 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Harris seeks an amount not less than \$40,500 for at least 27 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$40,500 for at least 27 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Harris seeks an amount not less than \$13,500 for at least 27 negligent violations of 47 U.S.C. § 227(b), and not less than \$13,500 for at least 27 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Harris at least 27 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which Harris seeks an amount not less than \$13,500, attorney's fees, injunctive relief, and treble damages.

437. Quinn Harrison personally owns and uses the cellular phone number xxx-xxx-9018. This number is a residential telephone subscription and Harrison's only telephone. Harrison uses this cell phone to communicate with friends and family and keeps the cell phone on him at all times. Harrison charges the cell phone near his bedside at night. On 9/24/2010, Harrison registered this number on the National Do Not Call Registry. In the four years

1 preceding 4/22/2020 (the date Harrison's original Complaint was filed), GoSmith sent Harrison
2 at least 45 telemarketing text messages at this number. GoSmith knowingly and willfully sent
3 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
4 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
5 text messages without instituting procedures that meet the minimum standards required for
6 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
7 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
8 least 2 text messages to Harrison within a 12-month period after Harrison was registered on the
9 National Do Not Call Registry, including but not limited to the period between 12/13/2016 and
10 8/26/2017. Harrison seeks an amount not less than \$67,500 for at least 45 knowing and willful
11 violations of 47 U.S.C. § 227(b), and an amount not less than \$67,500 for at least 45 knowing
12 and willful violations of 47 U.S.C. § 227(c). Alternatively, Harrison seeks an amount not less
13 than \$22,500 for at least 45 negligent violations of 47 U.S.C. § 227(b), and not less than
14 \$22,500 for at least 45 negligent violations of 47 U.S.C. § 227(c).

15 438. John Hart personally owns and uses the cellular phone number xxx-xxx-4143.
16 This number is a residential telephone subscription and is Hart's only telephone. Hart uses this
17 cell phone to communicate with friends and family and keeps the cell phone on him at all
18 times. Hart charges this cell phone by his bedside at night. In the four years preceding
19 01/30/2020 (the date Hart's original Complaint was filed), GoSmith sent Hart at least 50
20 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
21 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
22 227(b)(1)(A)(iii). GoSmith knowingly and willfully sent these text messages without
23 instituting procedures that meet the minimum standards required for telemarketing in violation
24 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Hart seeks an amount not less than \$75,000
25 for at least 50 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less
26 than \$75,000 for at least 50 knowing and willful violations of 47 U.S.C. § 227(c).

1 Alternatively, Hart seeks an amount not less than \$25,000 for at least 50 negligent violations of
2 47 U.S.C. § 227(b), and \$25,000 for at least 50 negligent violations of 47 U.S.C. § 227(c).

3 439. Danny Hart personally owns and uses the cellular phone number xxx-xxx-This
4 number is a residential telephone subscription and is Hart's only telephone. Hart uses this cell
5 phone to communicate with friends and family and keeps the cell phone on him at all times.
6 Hart charges this cell phone by his bedside at night. In the four years preceding 4/28/2020 (the
7 date Hart's original Complaint was filed), GoSmith sent Hart at least 15 telemarketing text
8 messages at this number. GoSmith knowingly and willfully sent these text messages using an
9 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
10 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
11 procedures that meet the minimum standards required for telemarketing in violation of 47
12 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Hart seeks an amount not less than \$22,500 for at
13 least 15 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
14 \$22,500 for at least 15 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
15 Hart seeks an amount not less than \$7,500 for at least 15 negligent violations of 47 U.S.C. §
16 227(b), and not less than \$7,500 for at least 15 negligent violations of 47 U.S.C. § 227(c).

17 440. Ivan Hartavel personally owns and uses the cellular phone number xxx-xxx-7510.
18 This number is a residential telephone subscription. In the four years preceding 4/22/2020 (the
19 date Hartavel's original Complaint was filed), GoSmith sent Hartavel at least 8 telemarketing
20 text messages at this number. GoSmith knowingly and willfully sent these text messages using
21 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
22 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
23 instituting procedures that meet the minimum standards required for telemarketing in violation
24 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Hartavel seeks an amount not less than
25 \$12,000 for at least 8 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not
26 less than \$12,000 for at least 8 knowing and willful violations of 47 U.S.C. § 227(c).

27 Alternatively, Hartavel seeks an amount not less than \$4,000 for at least 8 negligent violations

1 of 47 U.S.C. § 227(b), and not less than \$4,000 for at least 8 negligent violations of 47 U.S.C.
2 § 227(c). Finally, GoSmith sent Hartavel at least 8 commercial text messages in violation of
3 RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone
4 solicitations in violation of RCW § 80.36.390, for which Hartavel seeks an amount not less
5 than \$4,000, attorney's fees, injunctive relief, and treble damages.

6 441. Craig Hawker personally owns and uses the cellular phone number xxx-xxx-5372.
7 This number is a residential telephone subscription. In the four years preceding 4/22/2020 (the
8 date Hawker's original Complaint was filed), GoSmith sent Hawker at least 13 telemarketing
9 text messages at this number. GoSmith knowingly and willfully sent these text messages using
10 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
11 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
12 instituting procedures that meet the minimum standards required for telemarketing in violation
13 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Hawker seeks an amount not less than
14 \$19,500 for at least 13 knowing and willful violations of 47 U.S.C. § 227(b), and an amount
15 not less than \$19,500 for at least 13 knowing and willful violations of 47 U.S.C. § 227(c).
16 Alternatively, Hawker seeks an amount not less than \$6,500 for at least 13 negligent violations
17 of 47 U.S.C. § 227(b), and not less than \$6,500 for at least 13 negligent violations of 47 U.S.C.
18 § 227(c).

19 442. Wesley Hawkins personally owns and uses the cellular phone number xxx-xxx-
20 0534. This number is a residential telephone subscription. In the four years preceding
21 4/27/2020 (the date Hawkins's original Complaint was filed), GoSmith sent Hawkins at least
22 24 telemarketing text messages at this number. GoSmith knowingly and willfully sent these
23 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
24 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
25 text messages without instituting procedures that meet the minimum standards required for
26 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Hawkins seeks an
27 amount not less than \$36,000 for at least 24 knowing and willful violations of 47 U.S.C. §

227(b), and an amount not less than \$36,000 for at least 24 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Hawkins seeks an amount not less than \$12,000 for at least 24 negligent violations of 47 U.S.C. § 227(b), and not less than \$12,000 for at least 24 negligent violations of 47 U.S.C. § 227(c).

443. Eva Haynes personally owns and uses the cellular phone number xxx-xxx-6073. This number is a residential telephone subscription and is Haynes's only telephone. Haynes uses this cell phone to communicate with friends and family. Haynes pays for this cell phone from a personal bank account. Haynes keeps this cell phone on her at all times and charges the cell phone by her bedside at night. On 6/26/2010, Haynes registered this number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date Haynes's original Complaint was filed), GoSmith sent Haynes at least 80 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Haynes within a 12-month period after Haynes was registered on the National Do Not Call Registry, including but not limited to the period between 6/1/2017 and 6/1/2018. Haynes seeks an amount not less than \$120,000 for at least 80 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$120,000 for at least 80 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Haynes seeks an amount not less than \$40,000 for at least 80 negligent violations of 47 U.S.C. § 227(b), and not less than \$40,000 for at least 80 negligent violations of 47 U.S.C. § 227(c).

444. Sherene Hazah personally owns and uses the cellular phone number xxx-xxx-1828. This number is a residential telephone subscription and Hazah's only telephone. Hazah uses this cell phone to communicate with friends and family and pays for the cell phone from a

1 personal bank account. Hazah keeps this phone on him at all times and charges it near his
2 bedside at night. In the four years preceding 4/28/2020 (the date Hazah's original Complaint
3 was filed), GoSmith sent Hazah at least 11 telemarketing text messages at this number. The
4 text messages regularly interrupted Hazah's work. GoSmith knowingly and willfully sent these
5 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
6 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
7 text messages without instituting procedures that meet the minimum standards required for
8 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Hazah seeks an
9 amount not less than \$16,500 for at least 11 knowing and willful violations of 47 U.S.C. §
10 227(b), and an amount not less than \$16,500 for at least 11 knowing and willful violations of
11 47 U.S.C. § 227(c). Alternatively, Hazah seeks an amount not less than \$5,500 for at least 11
12 negligent violations of 47 U.S.C. § 227(b), and not less than \$5,500 for at least 11 negligent
13 violations of 47 U.S.C. § 227(c).

14 445. Andrew Hazelwood personally owns and uses the cellular phone number xxx-
15 xxx-9719. This number is a residential telephone subscription. On 2/20/2013, Hazelwood
16 registered this number on the National Do Not Call Registry. In the four years preceding
17 1/30/2020 (the date Hazelwood's original Complaint was filed), GoSmith sent Hazelwood at
18 least 13 telemarketing text messages at this number. GoSmith knowingly and willfully sent
19 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
20 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
21 text messages without instituting procedures that meet the minimum standards required for
22 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
23 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
24 least 2 text messages to Hazelwood within a 12-month period after Hazelwood was registered
25 on the National Do Not Call Registry, including but not limited to the period between
26 6/22/2017 and 9/27/2017. Hazelwood seeks an amount not less than \$19,500 for at least 13
27 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$19,500 for

1 at least 13 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Hazelwood
2 seeks an amount not less than \$6,500 for at least 13 negligent violations of 47 U.S.C. § 227(b),
3 and not less than \$6,500 for at least 13 negligent violations of 47 U.S.C. § 227(c).

4 446. Robert Healy personally owns and uses the cellular phone number xxx-xxx-0534.
5 This number is a residential telephone subscription. Healy uses this cell phone to communicate
6 with friends and family. The cell phone is on a personal plan with his mobile provider. Healy
7 pays for the cell phone out of his personal bank account. Healy charges the cell phone near his
8 bedside at night. On 2/24/2010, Healy registered this number on the National Do Not Call
9 Registry. In the four years preceding 4/29/2020 (the date Healy's original Complaint was filed),
10 GoSmith sent Healy at least 16 telemarketing text messages at this number. GoSmith
11 knowingly and willfully sent these text messages using AZ394an automatic telephone dialing
12 system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith
13 knowingly and willfully sent these text messages without instituting procedures that meet the
14 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
15 § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith
16 knowingly and willfully sent at least 2 text messages to Healy within a 12-month period after
17 Healy was registered on the National Do Not Call Registry, including but not limited to the
18 period between 6/27/2016 and 6/27/2017. Healy seeks an amount not less than \$24,000 for at
19 least 16 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
20 \$24,000 for at least 16 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
21 Healy seeks an amount not less than \$8,000 for at least 16 negligent violations of 47 U.S.C. §
22 227(b), and not less than \$8,000 for at least 16 negligent violations of 47 U.S.C. § 227(c).

23 447. Patrick Hearn personally owns and uses the cellular phone number xxx-xxx-9814.
24 This number is a residential telephone subscription and is Hearn's only telephone. This cell
25 phone is on a residential subscription with Hearn's mobile carrier. Hearn uses this phone to
26 communicate with family and friends. Hearn pays for the cell phone out of a personal bank
27 account. In the four years preceding 1/30/2020 (the date Hearn's original Complaint was filed),

1 GoSmith sent Hearn at least one telemarketing text message per week at this number. During
2 this time, Hearn was not self-employed, he was employed by a construction company.
3 GoSmith knowingly and willfully sent these text messages using an automatic telephone
4 dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7).
5 GoSmith knowingly and willfully sent these text messages without instituting procedures that
6 meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and
7 47 C.F.R. § 64.1200(d). Hearn seeks an amount not less than \$342,000 for at least 228
8 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$342,000
9 for at least 228 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Hearn
10 seeks an amount not less than \$114,000 for at least 228 negligent violations of 47 U.S.C. §
11 227(b), and not less than \$114,000 for at least 228 negligent violations of 47 U.S.C. § 227(c).

12 448. Deborah Helfrich personally owns and uses the cellular phone number xxx-xxx-
13 1620. This number is a residential telephone subscription. In the four years preceding
14 4/24/2020 (the date Helfrich's original Complaint was filed), GoSmith sent Helfrich at least 21
15 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
16 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
17 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
18 text messages without instituting procedures that meet the minimum standards required for
19 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Helfrich seeks an
20 amount not less than \$31,500 for at least 21 knowing and willful violations of 47 U.S.C. §
21 227(b), and an amount not less than \$31,500 for at least 21 knowing and willful violations of
22 47 U.S.C. § 227(c). Alternatively, Helfrich seeks an amount not less than \$10,500 for at least
23 21 negligent violations of 47 U.S.C. § 227(b), and not less than \$10,500 for at least 21
24 negligent violations of 47 U.S.C. § 227(c).

25 449. Thomas Hemp personally owns and uses the cellular phone number xxx-xxx-
26 3520. This number is a residential telephone subscription. Hemp uses this cell phone to
27 communicate with family and friends and keeps this cell phone on him at all times. Hemp

1 charges this phone near his bedside at night. In the four years preceding 4/27/2020 (the date
2 Hemp's original Complaint was filed), GoSmith sent Hemp at least 32 telemarketing text
3 messages at this number. GoSmith knowingly and willfully sent these text messages using an
4 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
5 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
6 procedures that meet the minimum standards required for telemarketing in violation of 47
7 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Hemp seeks an amount not less than \$48,000 for
8 at least 32 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
9 \$48,000 for at least 32 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
10 Hemp seeks an amount not less than \$16,000 for at least 32 negligent violations of 47 U.S.C. §
11 227(b), and not less than \$16,000 for at least 32 negligent violations of 47 U.S.C. § 227(c).

12 450. Matthew Henry personally owns and uses the cellular phone number xxx-xxx-
13 5277. This number is a residential telephone subscription. In the four years preceding
14 4/28/2020 (the date Henry's original Complaint was filed), GoSmith sent Henry at least 36
15 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
16 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
17 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
18 text messages without instituting procedures that meet the minimum standards required for
19 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Henry seeks an
20 amount not less than \$54,000 for at least 36 knowing and willful violations of 47 U.S.C. §
21 227(b), and an amount not less than \$54,000 for at least 36 knowing and willful violations of
22 47 U.S.C. § 227(c). Alternatively, Henry seeks an amount not less than \$18,000 for at least 36
23 negligent violations of 47 U.S.C. § 227(b), and not less than \$18,000 for at least 36 negligent
24 violations of 47 U.S.C. § 227(c).

25 451. Nathan Henton personally owns and uses the cellular phone number xxx-xxx-
26 7749. This number is a residential telephone subscription and Henton's only telephone. Henton
27 uses this cell phone to communicate with friend and family and keeps this cell phone on him at

1 all times. Henton pays for this cell phone from a personal bank account. In the four years
2 preceding 4/21/2020 (the date Henton's original Complaint was filed), GoSmith sent Henton at
3 least 12 telemarketing text messages at this number. GoSmith knowingly and willfully sent
4 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
5 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
6 text messages without instituting procedures that meet the minimum standards required for
7 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Henton seeks an
8 amount not less than \$18,000 for at least 12 knowing and willful violations of 47 U.S.C. §
9 227(b), and an amount not less than \$18,000 for at least 12 knowing and willful violations of
10 47 U.S.C. § 227(c). Alternatively, Henton seeks an amount not less than \$6,000 for at least 12
11 negligent violations of 47 U.S.C. § 227(b), and not less than \$6,000 for at least 12 negligent
12 violations of 47 U.S.C. § 227(c).

13 452. Dennis Hepler personally owns and uses the cellular phone number xxx-xxx-
14 9693. This number is a residential telephone subscription and Hepler's only telephone. Hepler
15 uses this cell phone to communicate with friends and family and keeps this cell phone on him
16 at all times. On 8/3/2003, Hepler registered this number on the National Do Not Call Registry.
17 In the four years preceding 1/30/2020 (the date Hepler's original Complaint was filed),
18 GoSmith sent Hepler at least 5 telemarketing text messages at this number. GoSmith
19 knowingly and willfully sent these text messages using an automatic telephone dialing system
20 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith
21 knowingly and willfully sent these text messages without instituting procedures that meet the
22 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
23 § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith
24 knowingly and willfully sent at least 2 text messages to Hepler within a 12-month period after
25 Hepler was registered on the National Do Not Call Registry, including but not limited to the
26 period between 6/4/2017 and 7/6/2017. Hepler seeks an amount not less than \$7,500 for at least
27 5 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$7,500 for

1 at least 5 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Hepler seeks an
2 amount not less than \$2,500 for at least 5 negligent violations of 47 U.S.C. § 227(b), and not
3 less than \$2,500 for at least 5 negligent violations of 47 U.S.C. § 227(c).

4 453. Dario Hernandez personally owns and uses the cellular phone number xxx-xxx-
5 9170. This number is a residential telephone subscription. In the four years preceding
6 4/22/2020 (the date Hernandez's original Complaint was filed), GoSmith sent Hernandez at
7 least 51 telemarketing text messages at this number. GoSmith knowingly and willfully sent
8 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
9 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
10 text messages without instituting procedures that meet the minimum standards required for
11 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Hernandez seeks
12 an amount not less than \$76,500 for at least 51 knowing and willful violations of 47 U.S.C. §
13 227(b), and an amount not less than \$76,500 for at least 51 knowing and willful violations of
14 47 U.S.C. § 227(c). Alternatively, Hernandez seeks an amount not less than \$25,500 for at least
15 51 negligent violations of 47 U.S.C. § 227(b), and not less than \$25,500 for at least 51
16 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Hernandez at least 51
17 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an
18 undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which
19 Hernandez seeks an amount not less than \$25,500, attorney's fees, injunctive relief, and treble
20 damages.

21 454. Danny Higgins personally owns and uses the cellular phone number xxx-xxx-
22 8989. This number is a residential telephone subscription. On 8/19/2006, Higgins registered
23 this number on the National Do Not Call Registry. In the four years preceding 4/21/2020 (the
24 date Higgins's original Complaint was filed), GoSmith sent Higgins at least 19 telemarketing
25 text messages at this number. GoSmith knowingly and willfully sent these text messages using
26 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
27 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without

1 instituting procedures that meet the minimum standards required for telemarketing in violation
2 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and
3 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to
4 Higgins within a 12-month period after Higgins was registered on the National Do Not Call
5 Registry, including but not limited to the period between 1/3/2017 and 1/3/2018. Higgins seeks
6 an amount not less than \$28,500 for at least 19 knowing and willful violations of 47 U.S.C. §
7 227(b), and an amount not less than \$28,500 for at least 19 knowing and willful violations of
8 47 U.S.C. § 227(c). Alternatively, Higgins seeks an amount not less than \$9,500 for at least 19
9 negligent violations of 47 U.S.C. § 227(b), and not less than \$9,500 for at least 19 negligent
10 violations of 47 U.S.C. § 227(c).

11 455. Michael Higgins personally owns and uses the cellular phone number xxx-xxx-
12 1461. This number is a residential telephone subscription. In the four years preceding
13 4/21/2020 (the date Higgins's original Complaint was filed), GoSmith sent Higgins at least 13
14 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
15 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
16 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
17 text messages without instituting procedures that meet the minimum standards required for
18 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Higgins seeks an
19 amount not less than \$19,500 for at least 13 knowing and willful violations of 47 U.S.C. §
20 227(b), and an amount not less than \$19,500 for at least 13 knowing and willful violations of
21 47 U.S.C. § 227(c). Alternatively, Higgins seeks an amount not less than \$6,500 for at least 13
22 negligent violations of 47 U.S.C. § 227(b), and not less than \$6,500 for at least 13 negligent
23 violations of 47 U.S.C. § 227(c).

24 456. Adrian Hilde personally owns and uses the cellular phone number xxx-xxx-7907.
25 Hilde uses this cell phone for work. In the four years preceding 4/22/2020 (the date Hilde's
26 original Complaint was filed), GoSmith sent Hilde at least 2 telemarketing text messages at this
27 number. GoSmith knowingly and willfully sent these text messages using an automatic

1 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
2 64.1200(a)(7). Hilde seeks an amount not less than \$3,000 for at least 2 knowing and willful
3 violations of 47 U.S.C. § 227(b). Alternatively, Hilde seeks an amount not less than \$1,000 for
4 at least 2 negligent violations of 47 U.S.C. § 227(b). Finally, GoSmith sent Hilde at least 2
5 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, and 80.36.400, for
6 which Hilde seeks an amount not less than \$1,000, attorney's fees, injunctive relief, and treble
7 damages.

8 457. Joshua Hill personally owns and uses the cellular phone number xxx-xxx-2732.
9 This number is a residential telephone subscription and Hill's only telephone. Hill uses this cell
10 phone to communicate with friends and family and keeps this cell phone on him at all times.
11 Hill pays for this cell phone out of a personal bank account. Hill charges this cell phone by his
12 bedside at night. In the four years preceding 1/30/2020 (the date Hill's original Complaint was
13 filed), GoSmith sent Hill at least 107 telemarketing text messages at this number. GoSmith
14 knowingly and willfully sent these text messages using an automatic telephone dialing system
15 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith
16 knowingly and willfully sent these text messages without instituting procedures that meet the
17 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
18 § 64.1200(d). Hill seeks an amount not less than \$160,500 for at least 107 knowing and willful
19 violations of 47 U.S.C. § 227(b), and an amount not less than \$160,500 for at least 107
20 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Hill seeks an amount not
21 less than \$53,500 for at least 107 negligent violations of 47 U.S.C. § 227(b), and not less than
22 \$53,500 for at least 107 negligent violations of 47 U.S.C. § 227(c).

23 458. Travis Hill personally owns and uses the cellular phone number xxx-xxx-2597.
24 This number is a residential telephone subscription. In the four years preceding 4/28/2020 (the
25 date Hill's original Complaint was filed), GoSmith sent Hill at least 27 telemarketing text
26 messages at this number. GoSmith knowingly and willfully sent these text messages using an
27 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.

§ 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Hill seeks an amount not less than \$40,500 for at least 27 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$40,500 for at least 27 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Hill seeks an amount not less than \$13,500 for at least 27 negligent violations of 47 U.S.C. § 227(b), and not less than \$13,500 for at least 27 negligent violations of 47 U.S.C. § 227(c).

459. Jabari Hillyer personally owns and uses the cellular phone number xxx-xxx-5277. This number is a residential telephone subscription and Hillyer's only telephone. Hillyer uses this cell phone to communicate with friends and family and keeps this cell phone on him at all times. Hillyer pays for this cell phone out of his personal bank account. Hillyer charges this cell phone near his bedside at night. In the four years preceding 1/30/2020 (the date Hillyer's original Complaint was filed), GoSmith sent Hillyer at least 232 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Hillyer seeks an amount not less than \$348,000 for at least 232 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$348,000 for at least 232 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Hillyer seeks an amount not less than \$116,000 for at least 232 negligent violations of 47 U.S.C. § 227(b), and not less than \$116,000 for at least 232 negligent violations of 47 U.S.C. § 227(c).

460. LeRoy Hippe personally owns and uses the cellular phone number xxx-xxx-3959. This number is a residential telephone subscription. Hippe uses this cell phone to communicate with family and friends and has this cell phone on him at all times. Hippe pays for this cell phone from a personal bank account. In the four years preceding 4/28/2020 (the date Hippe's

original Complaint was filed), GoSmith sent Hippe at least 3 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Hippe seeks an amount not less than \$4,500 for at least 3 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$4,500 for at least 3 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Hippe seeks an amount not less than \$1,500 for at least 3 negligent violations of 47 U.S.C. § 227(b), and not less than \$1,500 for at least 3 negligent violations of 47 U.S.C. § 227(c).

461. William Hoar personally owns and uses the cellular phone number xxx-xxx-0280. This number is a residential telephone subscription. On 3/17/2011, Hoar registered this number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date Hoar's original Complaint was filed), GoSmith sent Hoar at least 9 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Hoar within a 12-month period after Hoar was registered on the National Do Not Call Registry, including but not limited to the period between 4/30/2017 and 4/30/2018. Hoar seeks an amount not less than \$13,500 for at least 9 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$13,500 for at least 9 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Hoar seeks an amount not less than \$4,500 for at least 9 negligent violations of 47 U.S.C. § 227(b), and not less than \$4,500 for at least 9 negligent violations of 47 U.S.C. § 227(c).

462. Loren Hobbs personally owns and uses the cellular phone number xxx-xxx-0002. This number is a residential telephone subscription. In the four years preceding 1/30/2020 (the date Hobbs's original Complaint was filed), GoSmith sent Hobbs an average of 3-5 telemarketing text messages per week at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Hobbs seeks an amount not less than \$1,254,000 for at least 836 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$1,254,000 for at least 836 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Hobbs seeks an amount not less than \$418,000 for at least 836 negligent violations of 47 U.S.C. § 227(b), and not less than \$418,000 for at least 836 negligent violations of 47 U.S.C. § 227(c).

463. Dylan Hockett personally owns and uses the cellular phone number xxx-xxx-3595. This number is a residential telephone subscription. In the four years preceding 4/27/2020 (the date Hockett's original Complaint was filed), GoSmith sent Hockett at least 4 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Hockett seeks an amount not less than \$6,000 for at least 4 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$6,000 for at least 4 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Hockett seeks an amount not less than \$2,000 for at least 4 negligent violations of 47 U.S.C. § 227(b), and not less than \$2,000 for at least 4 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Hockett at least 4 commercial text messages in violation of RCW 19,190.060, for which Hockett seeks an amount not less than \$2,000.

1 464. Teddy Hodges personally owns and uses the cellular phone number xxx-xxx-
2 7688. This number is a residential telephone subscription and Hodges's only telephone. Hodges
3 uses this cell phone to communicate with family and friends and keeps this cell phone on him
4 at all times. Hodges pays for this cell phone from a personal bank account. Hodges charges this
5 cell phone near his bedside at night. In the four years preceding 4/22/2020 (the date Hodges's
6 original Complaint was filed), GoSmith sent Hodges at least 14 telemarketing text messages at
7 this number. GoSmith knowingly and willfully sent these text messages using an automatic
8 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
9 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
10 procedures that meet the minimum standards required for telemarketing in violation of 47
11 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Hodges seeks an amount not less than \$21,000 for
12 at least 14 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
13 \$21,000 for at least 14 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
14 Hodges seeks an amount not less than \$7,000 for at least 14 negligent violations of 47 U.S.C. §
15 227(b), and not less than \$7,000 for at least 14 negligent violations of 47 U.S.C. § 227(c).

16 465. Tony Hoffmann personally owns and uses the cellular phone number xxx-xxx-
17 2556. This number is a residential telephone subscription. On 7/1/2005, Hoffmann registered
18 this number on the National Do Not Call Registry. In the four years preceding 4/22/2020 (the
19 date Hoffmann's original Complaint was filed), GoSmith sent Hoffmann at least 6
20 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
21 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
22 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
23 text messages without instituting procedures that meet the minimum standards required for
24 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
25 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
26 least 2 text messages to Hoffmann within a 12-month period after Hoffmann was registered on
27 the National Do Not Call Registry, including but not limited to the period between 8/11/2016

1 and 8/11/2017. Hoffmann seeks an amount not less than \$9,000 for at least 6 knowing and
 2 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$9,000 for at least 6
 3 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Hoffmann seeks an
 4 amount not less than \$3,000 for at least 6 negligent violations of 47 U.S.C. § 227(b), and not
 5 less than \$3,000 for at least 6 negligent violations of 47 U.S.C. § 227(c).

6 466. Nicholas Holbrook personally owns and uses the cellular phone number xxx-xxx-
 7 8351. This number is a residential telephone subscription. On 8/31/2003, Holbrook registered
 8 this number on the National Do Not Call Registry. In the four years preceding 4/30/2020 (the
 9 date Holbrook's original Complaint was filed), GoSmith sent Holbrook at least 4 telemarketing
 10 text messages at this number. GoSmith knowingly and willfully sent these text messages using
 11 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
 12 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
 13 instituting procedures that meet the minimum standards required for telemarketing in violation
 14 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and
 15 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to
 16 Holbrook within a 12-month period after Holbrook was registered on the National Do Not Call
 17 Registry, including but not limited to the period between 9/17/2016 and 9/17/2017. Holbrook
 18 seeks an amount not less than \$6,000 for at least 4 knowing and willful violations of 47 U.S.C.
 19 § 227(b), and an amount not less than \$6,000 for at least 4 knowing and willful violations of 47
 20 U.S.C. § 227(c). Alternatively, Holbrook seeks an amount not less than \$2,000 for at least 4
 21 negligent violations of 47 U.S.C. § 227(b), and not less than \$2,000 for at least 4 negligent
 22 violations of 47 U.S.C. § 227(c).

23 467. Antonio Hope personally owns and uses the cellular phone number xxx-xxx-
 24 6667. This number is a residential telephone subscription. In the four years preceding
 25 1/30/2020 (the date Hope's original Complaint was filed), GoSmith sent Hope at least 89
 26 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
 27 messages using an automatic telephone dialing system in violation of 47 U.S.C. §

227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Hope seeks an amount not less than \$133,500 for at least 89 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$133,500 for at least 89 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Hope seeks an amount not less than \$44,500 for at least 89 negligent violations of 47 U.S.C. § 227(b), and not less than \$44,500 for at least 89 negligent violations of 47 U.S.C. § 227(c).

468. Jamie Hope personally owns and uses the cellular phone number xxx-xxx-0246. This number is a residential telephone subscription and Hope's only telephone. Hope uses this cell phone to communicate with family and friends and keeps this phone on him at all times. Hope charges this phone by his bedside at night. In the four years preceding 4/22/2020 (the date Hope's original Complaint was filed), GoSmith sent Hope at least 61 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Hope seeks an amount not less than \$91,500 for at least 61 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$91,500 for at least 61 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Hope seeks an amount not less than \$30,500 for at least 61 negligent violations of 47 U.S.C. § 227(b), and not less than \$30,500 for at least 61 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Hope at least 61 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which Hope seeks an amount not less than \$30,500, attorney's fees, injunctive relief, and treble damages.

1 469. Daniel Hopkins personally owns and uses the cellular phone number xxx-xxx-
2 0587. This number is a residential telephone subscription and Hopkins's only telephone.
3 Hopkins used this cell phone to communicate with family and friends and carries this cell
4 phone on him at all times. Hopkins charges this cell phone by his bedside at night. In the four
5 years preceding 4/22/2020 (the date Hopkins's original Complaint was filed), GoSmith sent
6 Hopkins at least 20 telemarketing text messages at this number. Hopkins was forced to change
7 his cell phone number to stop the harassing text messages. GoSmith knowingly and willfully
8 sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C.
9 § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
10 text messages without instituting procedures that meet the minimum standards required for
11 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Hopkins seeks an
12 amount not less than \$30,000 for at least 20 knowing and willful violations of 47 U.S.C. §
13 227(b), and an amount not less than \$30,000 for at least 20 knowing and willful violations of
14 47 U.S.C. § 227(c). Alternatively, Hopkins seeks an amount not less than \$10,000 for at least
15 20 negligent violations of 47 U.S.C. § 227(b), and not less than \$10,000 for at least 20
16 negligent violations of 47 U.S.C. § 227(c).

17 470. Brian Hopple personally owns and uses the cellular phone number xxx-xxx-7935.
18 This number is a residential telephone subscription. On 8/28/2009, Hopple registered this
19 number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date
20 Hopple's original Complaint was filed), GoSmith sent Hopple at least one telemarketing text
21 message each week at this number. GoSmith knowingly and willfully sent these text messages
22 using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and
23 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
24 instituting procedures that meet the minimum standards required for telemarketing in violation
25 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and
26 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to
27 Hopple within a 12-month period after Hopple was registered on the National Do Not Call

1 Registry, including but not limited to the period between 6/16/2017 and 6/16/2018. Hopple
2 seeks an amount not less than \$205,500 for at least 137 knowing and willful violations of 47
3 U.S.C. § 227(b), and an amount not less than \$205,500 for at least 137 knowing and willful
4 violations of 47 U.S.C. § 227(c). Alternatively, Hopple seeks an amount not less than \$68,500
5 for at least 137 negligent violations of 47 U.S.C. § 227(b), and not less than \$68,500 for at least
6 137 negligent violations of 47 U.S.C. § 227(c).

7 471. Brian Horner personally owns and uses the cellular phone number xxx-xxx-1169.
8 This number is a residential telephone subscription. In the four years preceding 4/27/2020 (the
9 date Horner's original Complaint was filed), GoSmith sent Horner at least 3 telemarketing text
10 messages at this number. GoSmith knowingly and willfully sent these text messages using an
11 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
12 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
13 procedures that meet the minimum standards required for telemarketing in violation of 47
14 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Horner seeks an amount not less than \$4,500 for
15 at least 3 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
16 \$4,500 for at least 3 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
17 Horner seeks an amount not less than \$1,500 for at least 3 negligent violations of 47 U.S.C. §
18 227(b), and not less than \$1,500 for at least 3 negligent violations of 47 U.S.C. § 227(c).

19 472. Ben Hortman personally owns and uses the cellular phone number xxx-xxx-1775.
20 This number is a residential telephone subscription. In the four years preceding 4/22/2020 (the
21 date Hortman's original Complaint was filed), GoSmith sent Hortman at least 2 telemarketing
22 text messages at this number. GoSmith knowingly and willfully sent these text messages using
23 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
24 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
25 instituting procedures that meet the minimum standards required for telemarketing in violation
26 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Hortman seeks an amount not less than
27 \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not

1 less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(c).

2 Alternatively, Hortman seeks an amount not less than \$1,000 for at least 2 negligent violations
3 of 47 U.S.C. § 227(b), and not less than \$1,000 for at least 2 negligent violations of 47 U.S.C.
4 § 227(c).

5 473. Jeff Howard personally owns and uses the cellular phone number xxx-xxx-6006.
6 This number is a residential telephone subscription. On 7/8/2003, Howard registered this
7 number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date
8 Howard's original Complaint was filed), GoSmith sent Howard at least 24 telemarketing text
9 messages at this number. GoSmith knowingly and willfully sent these text messages using an
10 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
11 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
12 procedures that meet the minimum standards required for telemarketing in violation of 47
13 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
14 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Howard
15 within a 12-month period after Howard was registered on the National Do Not Call Registry,
16 including but not limited to the period between 1/30/2016 and 1/29/2017. Howard seeks an
17 amount not less than \$36,000 for at least 24 knowing and willful violations of 47 U.S.C. §
18 227(b), and an amount not less than \$36,000 for at least 24 knowing and willful violations of
19 47 U.S.C. § 227(c). Alternatively, Howard seeks an amount not less than \$12,000 for at least
20 24 negligent violations of 47 U.S.C. § 227(b), and not less than \$12,000 for at least 24
21 negligent violations of 47 U.S.C. § 227(c).

22 474. Randy Howard personally owns and uses the cellular phone number xxx-xxx-
23 2288. This number is a residential telephone subscription and Howard's only telephone.
24 Howard used this cell phone to communicate with family and friends and kept this cell phone
25 on him at all times. Howard charged this cell phone by his bedside at night. In the four years
26 preceding 4/28/2020 (the date Howard's original Complaint was filed), GoSmith sent Howard
27 at least 53 telemarketing text messages at this number. GoSmith knowingly and willfully sent

1 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
2 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
3 text messages without instituting procedures that meet the minimum standards required for
4 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Howard seeks an
5 amount not less than \$79,500 for at least 53 knowing and willful violations of 47 U.S.C. §
6 227(b), and an amount not less than \$79,500 for at least 53 knowing and willful violations of
7 47 U.S.C. § 227(c). Alternatively, Howard seeks an amount not less than \$26,500 for at least
8 53 negligent violations of 47 U.S.C. § 227(b), and not less than \$26,500 for at least 53
9 negligent violations of 47 U.S.C. § 227(c).

10 475. Anthony Howe Jr personally owns and uses the cellular phone number xxx-xxx-
11 4420. This number is a residential telephone subscription. On 7/1/2003, Howe Jr registered this
12 number on the National Do Not Call Registry. In the four years preceding 4/21/2020 (the date
13 Howe Jr's original Complaint was filed), GoSmith sent Howe Jr at least 4 telemarketing text
14 messages at this number. GoSmith knowingly and willfully sent these text messages using an
15 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
16 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
17 procedures that meet the minimum standards required for telemarketing in violation of 47
18 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
19 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Howe Jr
20 within a 12-month period after Howe Jr was registered on the National Do Not Call Registry,
21 including but not limited to the period between 3/11/2017 and 3/11/2018. Howe Jr seeks an
22 amount not less than \$6,000 for at least 4 knowing and willful violations of 47 U.S.C. § 227(b),
23 and an amount not less than \$6,000 for at least 4 knowing and willful violations of 47 U.S.C. §
24 227(c). Alternatively, Howe Jr seeks an amount not less than \$2,000 for at least 4 negligent
25 violations of 47 U.S.C. § 227(b), and not less than \$2,000 for at least 4 negligent violations of
26 47 U.S.C. § 227(c).

1 476. Sean Hoy personally owns and uses the cellular phone number xxx-xxx-2936.
2 This number is a residential telephone subscription, which is Hoy's only phone and is a
3 personal subscription on Hoy's cellular service provider plan. Hoy uses this phone to make all
4 his personal calls and keeps it near his bed at night. On 8/1/2006, Hoy registered this number
5 on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date Hoy's
6 original Complaint was filed), GoSmith sent Hoy at least 6 telemarketing text messages at this
7 number. Upon information and belief, the actual number of texts is much higher. GoSmith
8 knowingly and willfully sent these text messages using an automatic telephone dialing system
9 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith
10 knowingly and willfully sent these text messages without instituting procedures that meet the
11 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
12 § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith
13 knowingly and willfully sent at least 2 text messages to Hoy within a 12-month period after
14 Hoy was registered on the National Do Not Call Registry, including but not limited to the
15 period between 6/13/2017 and 6/13/2018. Hoy seeks an amount not less than \$9,000 for at least
16 6 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$9,000 for
17 at least 6 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Hoy seeks an
18 amount not less than \$3,000 for at least 6 negligent violations of 47 U.S.C. § 227(b), and not
19 less than \$3,000 for at least 6 negligent violations of 47 U.S.C. § 227(c).

20 477. Michael Hoyden personally owns and uses the cellular phone number xxx-xxx-
21 8263. This number is a residential telephone subscription. In the four years preceding
22 4/22/2020 (the date Hoyden's original Complaint was filed), GoSmith sent Hoyden at least 6
23 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
24 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
25 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
26 text messages without instituting procedures that meet the minimum standards required for
27 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Hoyden seeks an

1 amount not less than \$9,000 for at least 6 knowing and willful violations of 47 U.S.C. § 227(b),
2 and an amount not less than \$9,000 for at least 6 knowing and willful violations of 47 U.S.C. §
3 227(c). Alternatively, Hoyden seeks an amount not less than \$3,000 for at least 6 negligent
4 violations of 47 U.S.C. § 227(b), and not less than \$3,000 for at least 6 negligent violations of
5 47 U.S.C. § 227(c). Finally, GoSmith sent Hoyden at least 6 commercial text messages in
6 violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of
7 telephone solicitations in violation of RCW § 80.36.390, for which Hoyden seeks an amount
8 not less than \$3,000, attorney's fees, injunctive relief, and treble damages.

9 478. Clint Hughes personally owns and uses the cellular phone number xxx-xxx-2598.
10 This number is a residential telephone subscription. In the four years preceding 4/21/2020 (the
11 date Hughes's original Complaint was filed), GoSmith sent Hughes at least 86 telemarketing
12 text messages at this number. GoSmith knowingly and willfully sent these text messages using
13 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
14 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
15 instituting procedures that meet the minimum standards required for telemarketing in violation
16 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Hughes seeks an amount not less than
17 \$129,000 for at least 86 knowing and willful violations of 47 U.S.C. § 227(b), and an amount
18 not less than \$129,000 for at least 86 knowing and willful violations of 47 U.S.C. § 227(c).
19 Alternatively, Hughes seeks an amount not less than \$43,000 for at least 86 negligent
20 violations of 47 U.S.C. § 227(b), and not less than \$43,000 for at least 86 negligent violations
21 of 47 U.S.C. § 227(c).

22 479. Alan Hunt personally owns and uses the cellular phone number xxx-xxx-2987.
23 This number is a residential telephone subscription. In the four years preceding 4/27/2020 (the
24 date Hunt's original Complaint was filed), GoSmith sent Hunt at least 2 telemarketing text
25 messages at this number. GoSmith knowingly and willfully sent these text messages using an
26 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
27 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting

1 procedures that meet the minimum standards required for telemarketing in violation of 47
2 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Hunt seeks an amount not less than \$3,000 for at
3 least 2 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
4 \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Hunt
5 seeks an amount not less than \$1,000 for at least 2 negligent violations of 47 U.S.C. § 227(b),
6 and not less than \$1,000 for at least 2 negligent violations of 47 U.S.C. § 227(c). Finally,
7 GoSmith sent Hunt at least 2 commercial text messages in violation of RCW §§ 19.190.060,
8 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of
9 RCW § 80.36.390, for which Hunt seeks an amount not less than \$1,000, attorney's fees,
10 injunctive relief, and treble damages.

11 480. Cory Huntsman personally owns and uses the cellular phone number xxx-xxx-
12 2765. This number is a residential telephone subscription. In the four years preceding
13 4/28/2020 (the date Huntsman's original Complaint was filed), GoSmith sent Huntsman at least
14 51 telemarketing text messages at this number. GoSmith knowingly and willfully sent these
15 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
16 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
17 text messages without instituting procedures that meet the minimum standards required for
18 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Huntsman seeks
19 an amount not less than \$76,500 for at least 51 knowing and willful violations of 47 U.S.C. §
20 227(b), and an amount not less than \$76,500 for at least 51 knowing and willful violations of
21 47 U.S.C. § 227(c). Alternatively, Huntsman seeks an amount not less than \$25,500 for at least
22 51 negligent violations of 47 U.S.C. § 227(b), and not less than \$25,500 for at least 51
23 negligent violations of 47 U.S.C. § 227(c).

24 481. Richard Huskey personally owns and uses the cellular phone number xxx-xxx-
25 2072. This number belongs to a cell phone and is a residential telephone subscription that
26 Huskey uses strictly for business and has been his business contact number for years. In the
27 four years preceding 1/30/2020 (the date Huskey's original Complaint was filed), GoSmith sent

1 Huskey at least 1,152 telemarketing text messages and phone calls to Huskey's cell phone at
2 this number. In fact, from 2015 to 2017, GoSmith would text Huskey several times a day, four
3 or more days a week. Sometimes they would call (only those violations after the Statute of
4 Limitations have been counted). Huskey was animated about not using GoSmith's service. He
5 was told he was the "trophy guy" that none of the representatives could sign up. GoSmith
6 knowingly and willfully sent these text messages using an automatic telephone dialing system
7 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). Huskey seeks an
8 amount not less than \$1,728,000 for at least 1,152 knowing and willful violations of 47 U.S.C.
9 § 227(b). Alternatively, Huskey seeks an amount not less than \$576,000 for at least 1,152
10 negligent violations of 47 U.S.C. § 227(b).

11 482. Brendan Hutchins personally owns and uses the cellular phone number xxx-xxx-
12 0946. This number is a residential telephone subscription under Hutchins's name. On
13 7/11/2008, Hutchins registered this number on the National Do Not Call Registry. This is his
14 personal cell phone and only phone number. It is paid for by his company and Hutchins uses it
15 to take work calls, but he also uses the phone for his personal calls, carries it with him at all
16 times, and charges it in his room at night. In the four years preceding 4/28/2020 (the date
17 Hutchins's original Complaint was filed), GoSmith sent Hutchins at least 246 telemarketing
18 text messages at this number. GoSmith texted Hutchins daily, sending him hundreds and
19 hundreds of text solicitations. Hutchins would block each number as it came in and delete the
20 text to free up his phone screen and get it out of recent conversations. Hutchins blocked
21 hundreds of numbers that GoSmith used to spam him with, but the texts kept coming. GoSmith
22 knowingly and willfully sent these text messages using an automatic telephone dialing system
23 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith
24 knowingly and willfully sent these text messages without instituting procedures that meet the
25 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
26 § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith
27 knowingly and willfully sent at least 2 text messages to Hutchins within a 12-month period

1 after Hutchins was registered on the National Do Not Call Registry, including but not limited
2 to the period between 3/3/2017 and 10/8/2017. Hutchins seeks an amount not less than
3 \$369,000 for at least 246 knowing and willful violations of 47 U.S.C. § 227(b), and an amount
4 not less than \$369,000 for at least 246 knowing and willful violations of 47 U.S.C. § 227(c).
5 Alternatively, Hutchins seeks an amount not less than \$123,000 for at least 246 negligent
6 violations of 47 U.S.C. § 227(b), and not less than \$123,000 for at least 246 negligent
7 violations of 47 U.S.C. § 227(c).

8 483. Socrates Incarnato personally owns and uses the cellular phone number xxx-xxx-
9 8478. This number is a residential telephone subscription and this is Incarnato's only phone. It
10 is a cell phone that he pays for out of his personal account and it is the number he uses in all
11 his personal calls. In the four years preceding 4/22/2020 (the date Incarnato's original
12 Complaint was filed), GoSmith sent Incarnato at least 53 telemarketing text messages at this
13 number. GoSmith knowingly and willfully sent these text messages using an automatic
14 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
15 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
16 procedures that meet the minimum standards required for telemarketing in violation of 47
17 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Incarnato seeks an amount not less than \$79,500
18 for at least 53 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less
19 than \$79,500 for at least 53 knowing and willful violations of 47 U.S.C. § 227(c).

20 Alternatively, Incarnato seeks an amount not less than \$26,500 for at least 53 negligent
21 violations of 47 U.S.C. § 227(b), and not less than \$26,500 for at least 53 negligent violations
22 of 47 U.S.C. § 227(c). Finally, GoSmith sent Incarnato at least 53 commercial text messages in
23 violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of
24 telephone solicitations in violation of RCW § 80.36.390, for which Incarnato seeks an amount
25 not less than \$26,500, attorney's fees, injunctive relief, and treble damages.

26 484. Christopher Inman personally owns and uses the cellular phone number xxx-xxx-
27 7132. This number is a residential telephone subscription. In the four years preceding

1 1/30/2020 (the date Inman's original Complaint was filed), GoSmith sent Inman at least 37
 2 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
 3 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
 4 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
 5 text messages without instituting procedures that meet the minimum standards required for
 6 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Inman seeks an
 7 amount not less than \$55,500 for at least 37 knowing and willful violations of 47 U.S.C. §
 8 227(b), and an amount not less than \$55,500 for at least 37 knowing and willful violations of
 9 47 U.S.C. § 227(c). Alternatively, Inman seeks an amount not less than \$18,500 for at least 37
 10 negligent violations of 47 U.S.C. § 227(b), and not less than \$18,500 for at least 37 negligent
 11 violations of 47 U.S.C. § 227(c).

12 485. David Ishmael personally owns and uses the cellular phone number xxx-xxx-
 13 1951. This number is a residential telephone subscription and is Ishmael's personal cell phone,
 14 on which he makes all of his personal calls. In the four years preceding 4/29/2020 (the date
 15 Ishmael's original Complaint was filed), GoSmith sent Ishmael at least 80 telemarketing text
 16 messages at this number, some from numbers spoofed to appear to be from Alabama, and
 17 others appearing to be from Connecticut. GoSmith knowingly and willfully sent these text
 18 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
 19 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
 20 text messages without instituting procedures that meet the minimum standards required for
 21 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Ishmael seeks an
 22 amount not less than \$120,000 for at least 80 knowing and willful violations of 47 U.S.C. §
 23 227(b), and an amount not less than \$120,000 for at least 80 knowing and willful violations of
 24 47 U.S.C. § 227(c). Alternatively, Ishmael seeks an amount not less than \$40,000 for at least
 25 80 negligent violations of 47 U.S.C. § 227(b), and not less than \$40,000 for at least 80
 26 negligent violations of 47 U.S.C. § 227(c).

1 486. Chris Ivins personally owns and uses the cellular phone number xxx-xxx-2765.
2 This number is a residential telephone subscription. In the four years preceding 4/22/2020 (the
3 date Ivins's original Complaint was filed), GoSmith sent Ivins at least 65 telemarketing text
4 messages at this number. GoSmith knowingly and willfully sent these text messages using an
5 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
6 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
7 procedures that meet the minimum standards required for telemarketing in violation of 47
8 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Ivins seeks an amount not less than \$97,500 for at
9 least 65 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
10 \$97,500 for at least 65 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
11 Ivins seeks an amount not less than \$32,500 for at least 65 negligent violations of 47 U.S.C. §
12 227(b), and not less than \$32,500 for at least 65 negligent violations of 47 U.S.C. § 227(c).
13 Finally, GoSmith sent Ivins at least 65 commercial text messages in violation of RCW §§
14 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in
15 violation of RCW § 80.36.390, for which Ivins seeks an amount not less than \$32,500,
16 attorney's fees, injunctive relief, and treble damages.

17 487. Mark Jacobs personally owns and uses the cellular phone number xxx-xxx-6004.
18 This number is a residential telephone subscription and is Jacobs's only phone number. He uses
19 it for all his personal calls. On 10/28/2015, Jacobs registered this number on the National Do
20 Not Call Registry. In the four years preceding 4/28/2020 (the date Jacobs's original Complaint
21 was filed), GoSmith sent Jacobs at least 62 telemarketing text messages at this number. The
22 texts were frequent and annoying and came at all hours, interrupting both Jacobs's business and
23 personal time. GoSmith knowingly and willfully sent these text messages using an automatic
24 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
25 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
26 procedures that meet the minimum standards required for telemarketing in violation of 47
27 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47

1 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Jacobs
2 within a 12-month period after Jacobs was registered on the National Do Not Call Registry,
3 including but not limited to the period between 4/28/2016 and 4/28/2017. Jacobs seeks an
4 amount not less than \$93,000 for at least 62 knowing and willful violations of 47 U.S.C. §
5 227(b), and an amount not less than \$93,000 for at least 62 knowing and willful violations of
6 47 U.S.C. § 227(c). Alternatively, Jacobs seeks an amount not less than \$31,000 for at least 62
7 negligent violations of 47 U.S.C. § 227(b), and not less than \$31,000 for at least 62 negligent
8 violations of 47 U.S.C. § 227(c).

9 488. Scott Jasmer personally owns and uses the cellular phone number xxx-xxx-7955.
10 This number is a residential telephone subscription. On 9/10/2009, Jasmer registered this
11 number on the National Do Not Call Registry. In the four years preceding 4/22/2020 (the date
12 Jasmer's original Complaint was filed), GoSmith sent Jasmer at least 2 telemarketing text
13 messages at this number. GoSmith knowingly and willfully sent these text messages using an
14 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
15 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
16 procedures that meet the minimum standards required for telemarketing in violation of 47
17 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
18 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Jasmer
19 within a 12-month period after Jasmer was registered on the National Do Not Call Registry,
20 including but not limited to the period between 4/22/2016 and 4/22/2017. Jasmer seeks an
21 amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(b),
22 and an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. §
23 227(c). Alternatively, Jasmer seeks an amount not less than \$1,000 for at least 2 negligent
24 violations of 47 U.S.C. § 227(b), and not less than \$1,000 for at least 2 negligent violations of
25 47 U.S.C. § 227(c).

26 489. Demetrius Jefferson personally owns and uses the cellular phone number xxx-
27 xxx-7250. This number is currently a business cellphone subscription through Cricket for

1 Business. However, Jefferson has had the same number for 20 years. It is his only number and
2 he has used it for all his personal calls for many years, as well as using it for work calls relating
3 to his home-based business. On 8/12/2013, Jefferson registered this number on the National Do
4 Not Call Registry. In the four years preceding 1/30/2020 (the date Jefferson's original
5 Complaint was filed), GoSmith sent Jefferson at least 7 telemarketing text messages at this
6 number. Upon information and belief, the actual number of messages is much higher. Jefferson
7 states that he did not give GoSmith permission to contact him or give GoSmith his phone
8 number, but that GoSmith obtained it elsewhere. GoSmith knowingly and willfully sent these
9 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
10 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
11 text messages without instituting procedures that meet the minimum standards required for
12 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
13 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
14 least 2 text messages to Jefferson within a 12-month period after Jefferson was registered on
15 the National Do Not Call Registry, including but not limited to the period between 6/22/2017
16 and 6/28/2017. Jefferson seeks an amount not less than \$10,500 for at least 7 knowing and
17 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$10,500 for at least 7
18 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Jefferson seeks an amount
19 not less than \$3,500 for at least 7 negligent violations of 47 U.S.C. § 227(b), and not less than
20 \$3,500 for at least 7 negligent violations of 47 U.S.C. § 227(c).

21 490. Randy Jenkins personally owns and uses the cellular phone number xxx-xxx-
22 2144. This number is a residential telephone subscription and is part of a personal or family
23 plan with Jenkins's cellular phone service provider. Jenkins uses this phone for all his personal
24 calls - he does not have a fixed residence, as his work required lots of travel, which in turn,
25 required a cell phone. In the four years preceding 4/21/2020 (the date Jenkins's original
26 Complaint was filed), GoSmith sent Jenkins at least 66 telemarketing text messages at this
27 number, over a period of almost three months. Jenkins was "inundated with unsolicited job

opportunities" from GoSmith via text message and requests to download GoSmith's phone app in order to view and purchase their leads. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Jenkins seeks an amount not less than \$99,000 for at least 66 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$99,000 for at least 66 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Jenkins seeks an amount not less than \$33,000 for at least 66 negligent violations of 47 U.S.C. § 227(b), and not less than \$33,000 for at least 66 negligent violations of 47 U.S.C. § 227(c).

491. Derek Jenkins personally owns and uses the cellular phone number xxx-xxx-2381. This number is a residential telephone subscription and is Jenkin's personal cell phone. In the four years preceding 4/27/2020 (the date Jenkins's original Complaint was filed), GoSmith sent Jenkins at least 39 telemarketing text messages and an unknown number of soliciting phone calls at this number. GoSmith sent texts at least once or twice a week for almost a year. GoSmith sent the texts and made the calls at all times of the day, starting at 4:00 in the morning and going as late as 10 pm. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Jenkins seeks an amount not less than \$58,500 for at least 39 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$58,500 for at least 39 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Jenkins seeks an amount not less than \$19,500 for at least 39 negligent violations of 47 U.S.C. § 227(b), and not less than \$19,500 for at least 39 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Jenkins at least 39 commercial text

1 messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined
2 number of telephone solicitations in violation of RCW § 80.36.390, for which Jenkins seeks an
3 amount not less than \$19,500, attorney's fees, injunctive relief, and treble damages.

4 492. Mark Jennings personally owns and uses the cellular phone number xxx-xxx-
5 3572. This number is a residential telephone subscription. On 12/8/2004, Jennings registered
6 this number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the
7 date Jennings's original Complaint was filed), GoSmith sent Jennings at least 23 telemarketing
8 text messages at this number. GoSmith knowingly and willfully sent these text messages using
9 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
10 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
11 instituting procedures that meet the minimum standards required for telemarketing in violation
12 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and
13 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to
14 Jennings within a 12-month period after Jennings was registered on the National Do Not Call
15 Registry, including but not limited to the period between 5/3/2017 and 5/3/2018. Jennings
16 seeks an amount not less than \$34,500 for at least 23 knowing and willful violations of 47
17 U.S.C. § 227(b), and an amount not less than \$34,500 for at least 23 knowing and willful
18 violations of 47 U.S.C. § 227(c). Alternatively, Jennings seeks an amount not less than \$11,500
19 for at least 23 negligent violations of 47 U.S.C. § 227(b), and not less than \$11,500 for at least
20 23 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Jennings at least 23
21 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an
22 undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which
23 Jennings seeks an amount not less than \$11,500, attorney's fees, injunctive relief, and treble
24 damages.

25 493. Ray Johnisee personally owns and uses the cellular phone number xxx-xxx-6527.
26 This number is a residential telephone subscription. In the four years preceding 4/28/2020 (the
27 date Johnisee's original Complaint was filed), GoSmith sent Johnisee at least 48 telemarketing

1 text messages at this number. GoSmith knowingly and willfully sent these text messages using
2 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
3 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
4 instituting procedures that meet the minimum standards required for telemarketing in violation
5 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Johnisee seeks an amount not less than
6 \$72,000 for at least 48 knowing and willful violations of 47 U.S.C. § 227(b), and an amount
7 not less than \$72,000 for at least 48 knowing and willful violations of 47 U.S.C. § 227(c).
8 Alternatively, Johnisee seeks an amount not less than \$24,000 for at least 48 negligent
9 violations of 47 U.S.C. § 227(b), and not less than \$24,000 for at least 48 negligent violations
10 of 47 U.S.C. § 227(c).

11 494. Christopher Johnson personally owns and uses the cellular phone number xxx-
12 xxx-8443. This number is a residential telephone subscription. In the four years preceding
13 1/30/2020 (the date Johnson's original Complaint was filed), GoSmith sent Johnson at least 28
14 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
15 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
16 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
17 text messages without instituting procedures that meet the minimum standards required for
18 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Johnson seeks an
19 amount not less than \$42,000 for at least 28 knowing and willful violations of 47 U.S.C. §
20 227(b), and an amount not less than \$42,000 for at least 28 knowing and willful violations of
21 47 U.S.C. § 227(c). Alternatively, Johnson seeks an amount not less than \$14,000 for at least
22 28 negligent violations of 47 U.S.C. § 227(b), and not less than \$14,000 for at least 28
23 negligent violations of 47 U.S.C. § 227(c).

24 495. Stacie Johnson personally owns and uses the cellular phone number xxx-xxx-
25 1014. This number is a residential telephone subscription. On 5/9/2006, Johnson registered this
26 number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date
27 Johnson's original Complaint was filed), GoSmith sent Johnson at least 2 telemarketing text

1 messages at this number. GoSmith knowingly and willfully sent these text messages using an
2 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
3 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
4 procedures that meet the minimum standards required for telemarketing in violation of 47
5 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
6 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Johnson
7 within a 12-month period after Johnson was registered on the National Do Not Call Registry,
8 including but not limited to the period between 6/9/2017 and 6/9/2018. Johnson seeks an
9 amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(b),
10 and an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. §
11 227(c). Alternatively, Johnson seeks an amount not less than \$1,000 for at least 2 negligent
12 violations of 47 U.S.C. § 227(b), and not less than \$1,000 for at least 2 negligent violations of
13 47 U.S.C. § 227(c).

14 496. Joshua Johnson personally owns and uses the cellular phone number xxx-xxx-
15 1199. This number is a residential telephone subscription. In the four years preceding
16 4/28/2020 (the date Johnson's original Complaint was filed), GoSmith sent Johnson at least 288
17 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
18 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
19 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
20 text messages without instituting procedures that meet the minimum standards required for
21 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Johnson seeks an
22 amount not less than \$432,000 for at least 288 knowing and willful violations of 47 U.S.C. §
23 227(b), and an amount not less than \$432,000 for at least 288 knowing and willful violations of
24 47 U.S.C. § 227(c). Alternatively, Johnson seeks an amount not less than \$144,000 for at least
25 288 negligent violations of 47 U.S.C. § 227(b), and not less than \$144,000 for at least 288
26 negligent violations of 47 U.S.C. § 227(c).

1 497. Keith Johnson personally owns and uses the cellular phone number xxx-xxx-
2 2939. This number is a residential telephone subscription, which Johnson uses for all his
3 personal calls and also in his home-based business. In the four years preceding 4/28/2020 (the
4 date Johnson's original Complaint was filed), GoSmith sent Johnson at least 5 telemarketing
5 text messages and phone calls to Johnson's personal phone at this number. GoSmith attempted
6 to sell Johnson their "leads" and also to set up some sort of advertising. Johnson had to finally
7 tell them to stop calling after they admitted sending him texts, as well. GoSmith knowingly and
8 willfully sent these text messages using an automatic telephone dialing system in violation of
9 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully
10 sent these text messages without instituting procedures that meet the minimum standards
11 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d).
12 Johnson seeks an amount not less than \$7,500 for at least 5 knowing and willful violations of
13 47 U.S.C. § 227(b), and an amount not less than \$7,500 for at least 5 knowing and willful
14 violations of 47 U.S.C. § 227(c). Alternatively, Johnson seeks an amount not less than \$2,500
15 for at least 5 negligent violations of 47 U.S.C. § 227(b), and not less than \$2,500 for at least 5
16 negligent violations of 47 U.S.C. § 227(c).

17 498. Daniel Johnson personally owns and uses the cellular phone number xxx-xxx-
18 1529. This number is a residential telephone subscription and is Johnson's only number. He
19 uses it for all his personal calls and it is on a family or personal plan with his cellular service
20 provider. In the four years preceding 4/22/2020 (the date Johnson's original Complaint was
21 filed), GoSmith sent Johnson at least 2,075 telemarketing text messages at this number.
22 GoSmith contacted Johnson between 2-4 times a day, 5-7 days a week for about 3 years.
23 Initially, Johnson asked for more information regarding the "leads" GoSmith was selling, but
24 there was never an active lead and Johnson called the texts a "wild goose chase," "dead end"
25 and an "overwhelming annoyance." GoSmith texted Johnson from a barrage of different
26 numbers with area codes from all over the United States. Johnson tried asking who was texting
27 him over and over, but never got a response to his questions. He started deleting the messages

1 because they were taking up all the space on his phone. The messages stopped abruptly when
2 Johnson filed his lawsuit, leaving him "relieved" that the harassment is over. GoSmith
3 knowingly and willfully sent these text messages using an automatic telephone dialing system
4 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith
5 knowingly and willfully sent these text messages without instituting procedures that meet the
6 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
7 § 64.1200(d). Johnson seeks an amount not less than \$4,117,500 for at least 2,745 knowing and
8 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$4,117,500 for at least
9 2,745 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Johnson seeks an
10 amount not less than \$1,372,500 for at least 2,745 negligent violations of 47 U.S.C. § 227(b),
11 and not less than \$1,372,500 for at least 2,745 negligent violations of 47 U.S.C. § 227(c).
12 Finally, GoSmith sent Johnson at least 2745 commercial text messages in violation of RCW §§
13 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in
14 violation of RCW § 80.36.390, for which Johnson seeks an amount not less than \$1,372,500,
15 attorney's fees, injunctive relief, and treble damages.

16 499. Sandi Johnson personally owns and uses the cellular phone number xxx-xxx-
17 6139. This number is a residential telephone subscription that is Johnson's personal cell phone.
18 She uses it to make her personal calls. On 8/11/2007, Johnson registered this number on the
19 National Do Not Call Registry. In the four years preceding 4/22/2020 (the date Johnson's
20 original Complaint was filed), GoSmith sent Johnson at least 4 telemarketing text messages at
21 this number. GoSmith knowingly and willfully sent these text messages using an automatic
22 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
23 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
24 procedures that meet the minimum standards required for telemarketing in violation of 47
25 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
26 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Johnson
27 within a 12-month period after Johnson was registered on the National Do Not Call Registry,

1 including but not limited to the period between 1/9/2017 and 1/9/2018. Johnson seeks an
2 amount not less than \$6,000 for at least 4 knowing and willful violations of 47 U.S.C. § 227(b),
3 and an amount not less than \$6,000 for at least 4 knowing and willful violations of 47 U.S.C. §
4 227(c). Alternatively, Johnson seeks an amount not less than \$2,000 for at least 4 negligent
5 violations of 47 U.S.C. § 227(b), and not less than \$2,000 for at least 4 negligent violations of
6 47 U.S.C. § 227(c).

7 500. Kristina Johnson personally owns and uses the cellular phone number xxx-xxx-
8 5674. This number is a residential telephone subscription. In the four years preceding
9 4/22/2020 (the date Johnson's original Complaint was filed), GoSmith sent Johnson at least 15
10 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
11 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
12 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
13 text messages without instituting procedures that meet the minimum standards required for
14 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Johnson seeks an
15 amount not less than \$22,500 for at least 15 knowing and willful violations of 47 U.S.C. §
16 227(b), and an amount not less than \$22,500 for at least 15 knowing and willful violations of
17 47 U.S.C. § 227(c). Alternatively, Johnson seeks an amount not less than \$7,500 for at least 15
18 negligent violations of 47 U.S.C. § 227(b), and not less than \$7,500 for at least 15 negligent
19 violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Johnson at least 15 commercial text
20 messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined
21 number of telephone solicitations in violation of RCW § 80.36.390, for which Johnson seeks
22 an amount not less than \$7,500, attorney's fees, injunctive relief, and treble damages.

23 501. Shane Johnston personally owns and uses the cellular phone number xxx-xxx-
24 4256. This number is a residential telephone subscription. On 9/7/2009, Johnston registered
25 this number on the National Do Not Call Registry. In the four years preceding 4/24/2020 (the
26 date Johnston's original Complaint was filed), GoSmith sent Johnston at least 11 telemarketing
27 text messages at this number. GoSmith knowingly and willfully sent these text messages using

1 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
2 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
3 instituting procedures that meet the minimum standards required for telemarketing in violation
4 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and
5 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to
6 Johnston within a 12-month period after Johnston was registered on the National Do Not Call
7 Registry, including but not limited to the period between 4/24/2016 and 4/24/2017. Johnston
8 seeks an amount not less than \$16,500 for at least 11 knowing and willful violations of 47
9 U.S.C. § 227(b), and an amount not less than \$16,500 for at least 11 knowing and willful
10 violations of 47 U.S.C. § 227(c). Alternatively, Johnston seeks an amount not less than \$5,500
11 for at least 11 negligent violations of 47 U.S.C. § 227(b), and not less than \$5,500 for at least
12 11 negligent violations of 47 U.S.C. § 227(c).

13 502. Kevin Jones personally owns and uses the cellular phone number xxx-xxx-4712.
14 This number is a residential telephone subscription. On 5/17/2005, Jones registered this
15 number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date
16 Jones's original Complaint was filed), GoSmith sent Jones at least 3 telemarketing text
17 messages at this number. GoSmith knowingly and willfully sent these text messages using an
18 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
19 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
20 procedures that meet the minimum standards required for telemarketing in violation of 47
21 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
22 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Jones
23 within a 12-month period after Jones was registered on the National Do Not Call Registry,
24 including but not limited to the period between 6/1/2017 and 8/4/2017. Jones seeks an amount
25 not less than \$4,500 for at least 3 knowing and willful violations of 47 U.S.C. § 227(b), and an
26 amount not less than \$4,500 for at least 3 knowing and willful violations of 47 U.S.C. § 227(c).

27 Alternatively, Jones seeks an amount not less than \$1,500 for at least 3 negligent violations of

1 47 U.S.C. § 227(b), and not less than \$1,500 for at least 3 negligent violations of 47 U.S.C. §
2 227(c).

3 503. Trevor Jones personally owns and uses the cellular phone number xxx-xxx-6854.
4 This number is a residential telephone subscription. In the four years preceding 1/30/2020 (the
5 date Jones's original Complaint was filed), GoSmith sent Jones at least 1,347 telemarketing
6 text messages at this number. GoSmith knowingly and willfully sent these text messages using
7 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
8 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
9 instituting procedures that meet the minimum standards required for telemarketing in violation
10 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Jones seeks an amount not less than
11 \$2,020,500 for at least 1,347 knowing and willful violations of 47 U.S.C. § 227(b), and an
12 amount not less than \$2,020,500 for at least 1,347 knowing and willful violations of 47 U.S.C.
13 § 227(c). Alternatively, Jones seeks an amount not less than \$673,500 for at least 1,347
14 negligent violations of 47 U.S.C. § 227(b), and not less than \$673,500 for at least 1,347
15 negligent violations of 47 U.S.C. § 227(c).

16 504. Jeremiah Jones personally owns and uses the cellular phone number xxx-xxx-
17 8678. This number is a residential telephone subscription and is Jones's personal number and
18 only phone. He uses this number for all his personal calls but also takes work-related calls on
19 his cell phone. He keeps it with him and charges it in his room at night. In the four years
20 preceding 1/30/2020 (the date Jones's original Complaint was filed), GoSmith sent Jones at
21 least 13 telemarketing text messages at this number. GoSmith knowingly and willfully sent
22 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
23 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
24 text messages without instituting procedures that meet the minimum standards required for
25 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Jones seeks an
26 amount not less than \$19,500 for at least 13 knowing and willful violations of 47 U.S.C. §
27 227(b), and an amount not less than \$19,500 for at least 13 knowing and willful violations of

1 47 U.S.C. § 227(c). Alternatively, Jones seeks an amount not less than \$6,500 for at least 13
2 negligent violations of 47 U.S.C. § 227(b), and not less than \$6,500 for at least 13 negligent
3 violations of 47 U.S.C. § 227(c).

4 505. Dan Jones personally owns and uses the cellular phone number xxx-xxx-1521.
5 This number is a residential telephone subscription and is Jones's personal cell phone. On
6 7/2/2003, Jones registered this number on the National Do Not Call Registry. In the four years
7 preceding 4/22/2020 (the date Jones's original Complaint was filed), GoSmith sent Jones at
8 least 14 telemarketing text messages at this number. GoSmith knowingly and willfully sent
9 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
10 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
11 text messages without instituting procedures that meet the minimum standards required for
12 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
13 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
14 least 2 text messages to Jones within a 12-month period after Jones was registered on the
15 National Do Not Call Registry, including but not limited to the period between 4/22/2016 and
16 4/22/2017. Jones seeks an amount not less than \$21,000 for at least 14 knowing and willful
17 violations of 47 U.S.C. § 227(b), and an amount not less than \$21,000 for at least 14 knowing
18 and willful violations of 47 U.S.C. § 227(c). Alternatively, Jones seeks an amount not less than
19 \$7,000 for at least 14 negligent violations of 47 U.S.C. § 227(b), and not less than \$7,000 for at
20 least 14 negligent violations of 47 U.S.C. § 227(c).

21 506. Robert Jones personally owns and uses the cellular phone number xxx-xxx-1740.
22 This number is a residential telephone subscription and is Jones's only phone. He uses this cell
23 phone number for all his personal calls and it is on a personal or family plan with his cellular
24 phone service provider. On 12/16/2004, Jones registered this number on the National Do Not
25 Call Registry. Despite the fact that his number had been on the National Do Not Call Registry
26 for over 12 years at that point, GoSmith began texting Jones, trying to get Jones to buy their
27 leads. In the four years preceding 4/22/2020 (the date Jones's original Complaint was filed),

1 GoSmith sent Jones at least 140 telemarketing text messages at his personal cell phone number.
2 At the peak, GoSmith was sending 2-3 texts per week, which continued for almost 3 years.
3 Jones could never get any contact info or get a response from the text messages. He tried
4 calling them back, to no avail. The texts just kept coming, and he could not stop them.
5 GoSmith knowingly and willfully sent these text messages using an automatic telephone
6 dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7).
7 GoSmith knowingly and willfully sent these text messages without instituting procedures that
8 meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and
9 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c),
10 GoSmith knowingly and willfully sent at least 2 text messages to Jones within a 12-month
11 period after Jones was registered on the National Do Not Call Registry, including but not
12 limited to the period between 4/22/2016 and 4/22/2017. Jones seeks an amount not less than
13 \$210,000 for at least 140 knowing and willful violations of 47 U.S.C. § 227(b), and an amount
14 not less than \$210,000 for at least 140 knowing and willful violations of 47 U.S.C. § 227(c).
15 Alternatively, Jones seeks an amount not less than \$70,000 for at least 140 negligent violations
16 of 47 U.S.C. § 227(b), and not less than \$70,000 for at least 140 negligent violations of 47
17 U.S.C. § 227(c). Finally, GoSmith sent Jones at least 140 commercial text messages in
18 violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of
19 telephone solicitations in violation of RCW § 80.36.390, for which Jones seeks an amount not
20 less than \$70,000, attorney's fees, injunctive relief, and treble damages.

21 507. Joseph Jones personally owns and uses the cellular phone number xxx-xxx-2445.
22 This number is a residential telephone subscription. In the four years preceding 4/22/2020 (the
23 date Jones's original Complaint was filed), GoSmith sent Jones at least 32 telemarketing text
24 messages at this number. GoSmith knowingly and willfully sent these text messages using an
25 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
26 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
27 procedures that meet the minimum standards required for telemarketing in violation of 47

1 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Jones seeks an amount not less than \$48,000 for
2 at least 32 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
3 \$48,000 for at least 32 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
4 Jones seeks an amount not less than \$16,000 for at least 32 negligent violations of 47 U.S.C. §
5 227(b), and not less than \$16,000 for at least 32 negligent violations of 47 U.S.C. § 227(c).

6 508. Joyce Joneschiet personally owns and uses the cellular phone number xxx-xxx-
7 3592. This number is a residential telephone subscription and is Joneschiet's only phone
8 number. Joneschiet uses this number for all her personal calls and carries the phone with her,
9 charging it in her room at night. Joneschiet has had this number for over 15 years. On
10 7/7/2005, Joneschiet registered this number on the National Do Not Call Registry. In the four
11 years preceding 4/22/2020 (the date Joneschiet's original Complaint was filed), GoSmith sent
12 Joneschiet at least 18 telemarketing text messages at this number. GoSmith knowingly and
13 willfully sent these text messages using an automatic telephone dialing system in violation of
14 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully
15 sent these text messages without instituting procedures that meet the minimum standards
16 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also
17 in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and
18 willfully sent at least 2 text messages to Joneschiet within a 12-month period after Joneschiet
19 was registered on the National Do Not Call Registry, including but not limited to the period
20 between 2/16/2017 and 7/27/2017. Joneschiet seeks an amount not less than \$27,000 for at
21 least 18 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
22 \$27,000 for at least 18 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
23 Joneschiet seeks an amount not less than \$9,000 for at least 18 negligent violations of 47
24 U.S.C. § 227(b), and not less than \$9,000 for at least 18 negligent violations of 47 U.S.C. §
25 227(c). Finally, GoSmith sent Joneschiet at least 18 commercial text messages in violation of
26 RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone
27

1 solicitations in violation of RCW § 80.36.390, for which Joneschiet seeks an amount not less
2 than \$9,000, attorney's fees, injunctive relief, and treble damages.

3 509. Russell Jorgenson personally owns and uses the cellular phone number xxx-xxx-
4 1247. This number is a residential telephone subscription. In the four years preceding
5 4/22/2020 (the date Jorgenson's original Complaint was filed), GoSmith sent Jorgenson at least
6 2 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
7 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
8 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
9 text messages without instituting procedures that meet the minimum standards required for
10 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Jorgenson seeks
11 an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. §
12 227(b), and an amount not less than \$3,000 for at least 2 knowing and willful violations of 47
13 U.S.C. § 227(c). Alternatively, Jorgenson seeks an amount not less than \$1,000 for at least 2
14 negligent violations of 47 U.S.C. § 227(b), and not less than \$1,000 for at least 2 negligent
15 violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Jorgenson at least 2 commercial text
16 messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined
17 number of telephone solicitations in violation of RCW § 80.36.390, for which Jorgenson seeks
18 an amount not less than \$1,000, attorney's fees, injunctive relief, and treble damages.

19 510. Gary Joyner personally owns and uses the cellular phone number xxx-xxx-1630.
20 This number is a residential telephone subscription and is Joyner's only phone. It is a cell
21 phone with an individual or family plan from Joyner's cellular telephone service provider.
22 Joyner uses this phone for all his personal calls. He carries this cell phone with him and plugs it
23 in to charge in his room at night. In the four years preceding 4/27/2020 (the date Joyner's
24 original Complaint was filed), GoSmith sent Joyner at least 127 telemarketing text messages at
25 this number. Joyner found the texts very annoying. GoSmith knowingly and willfully sent
26 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
27 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these

1 text messages without instituting procedures that meet the minimum standards required for
 2 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Joyner seeks an
 3 amount not less than \$190,500 for at least 127 knowing and willful violations of 47 U.S.C. §
 4 227(b), and an amount not less than \$190,500 for at least 127 knowing and willful violations of
 5 47 U.S.C. § 227(c). Alternatively, Joyner seeks an amount not less than \$63,500 for at least
 6 127 negligent violations of 47 U.S.C. § 227(b), and not less than \$63,500 for at least 127
 7 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Joyner at least 127
 8 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an
 9 undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which
 10 Joyner seeks an amount not less than \$63,500, attorney's fees, injunctive relief, and treble
 11 damages.

12 511. Ted Judge personally owns and uses the cellular phone number xxx-xxx-8775.
 13 This number is a residential telephone subscription. In the four years preceding 1/30/2020 (the
 14 date Judge's original Complaint was filed), GoSmith sent Judge at least 29 telemarketing text
 15 messages at this number. GoSmith knowingly and willfully sent these text messages using an
 16 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
 17 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
 18 procedures that meet the minimum standards required for telemarketing in violation of 47
 19 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Judge seeks an amount not less than \$43,500 for
 20 at least 29 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
 21 \$43,500 for at least 29 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
 22 Judge seeks an amount not less than \$14,500 for at least 29 negligent violations of 47 U.S.C. §
 23 227(b), and not less than \$14,500 for at least 29 negligent violations of 47 U.S.C. § 227(c).

24 512. Rick Kader personally owns and uses the cellular phone number xxx-xxx-7690.
 25 This number is a residential telephone subscription. On 6/9/2010, Kader registered this number
 26 on the National Do Not Call Registry. In the four years preceding 4/22/2020 (the date Kader's
 27 original Complaint was filed), GoSmith sent Kader 14. GoSmith knowingly and willfully sent

1 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
2 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
3 text messages without instituting procedures that meet the minimum standards required for
4 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
5 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
6 least 2 text messages to Kader within a 12-month period after Kader was registered on the
7 National Do Not Call Registry, including but not limited to the period between 7/25/2016 and
8 7/25/2017. Kader seeks an amount not less than \$25,500 for at least 17 knowing and willful
9 violations of 47 U.S.C. § 227(b), and an amount not less than \$25,500 for at least 17 knowing
10 and willful violations of 47 U.S.C. § 227(c). Alternatively, Kader seeks an amount not less
11 than \$8,500 for at least 17 negligent violations of 47 U.S.C. § 227(b), and not less than \$8,500
12 for at least 17 negligent violations of 47 U.S.C. § 227(c).

13 513. Maria Kahookele personally owns and uses the cellular phone number xxx-xxx-
14 1644. This number is a residential telephone subscription and is Kahookele's only phone
15 number. It is her personal cellphone and the number from which she makes all of her personal
16 calls. She pays for it out of her personal bank account and charges it in her bedroom at night. In
17 the four years preceding 1/30/2020 (the date Kahookele's original Complaint was filed),
18 GoSmith sent Kahookele at least 28 telemarketing text messages, about 2 per week, to
19 Kahookele's cell phone at this number. GoSmith knowingly and willfully sent these text
20 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
21 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
22 text messages without instituting procedures that meet the minimum standards required for
23 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Kahookele seeks
24 an amount not less than \$42,000 for at least 28 knowing and willful violations of 47 U.S.C. §
25 227(b), and an amount not less than \$42,000 for at least 28 knowing and willful violations of
26 47 U.S.C. § 227(c). Alternatively, Kahookele seeks an amount not less than \$14,000 for at least
27

28 negligent violations of 47 U.S.C. § 227(b), and not less than \$14,000 for at least 28
negligent violations of 47 U.S.C. § 227(c).

514. Jodi Kaili personally owns and uses the cellular phone number xxx-xxx-5618. This number is a residential telephone subscription. In the four years preceding 1/30/2020 (the date Kaili's original Complaint was filed), GoSmith sent Kaili 18. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Kaili seeks an amount not less than \$16,500 for at least 11 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$16,500 for at least 11 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Kaili seeks an amount not less than \$5,500 for at least 11 negligent violations of 47 U.S.C. § 227(b), and not less than \$5,500 for at least 11 negligent violations of 47 U.S.C. § 227(c).

515. Blake Kapp personally owns and uses the cellular phone number xxx-xxx-3530. This number is a residential telephone subscription. In the four years preceding 4/22/2020 (the date Kapp's original Complaint was filed), GoSmith sent Kapp at least 23 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Kapp seeks an amount not less than \$34,500 for at least 23 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$34,500 for at least 23 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Kapp seeks an amount not less than \$11,500 for at least 23 negligent violations of 47 U.S.C. § 227(b), and not less than \$11,500 for at least 23 negligent violations of 47 U.S.C. § 227(c).

516. Nicholas Kardaras personally owns and uses the cellular phone number xxx-xxx-1391. This number is a residential telephone subscription and is Kardaras's personal cell phone, which he pays for out of his personal bank account and uses to make all his personal calls. In the four years preceding 4/21/2020 (the date Kardaras's original Complaint was filed), GoSmith sent at least 317 telemarketing text messages to Kardaras's personal cell phone at this number. GoSmith sent these texts 2-3 times per week and has been sending them for the past 3 years, which continued even after the filing of Mr. Kardaras's suit against GoSmith until it finally stopped a few months ago, belatedly. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Kardaras seeks an amount not less than \$475,500 for at least 317 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$475,500 for at least 317 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Kardaras seeks an amount not less than \$158,500 for at least 317 negligent violations of 47 U.S.C. § 227(b), and not less than \$158,500 for at least 317 negligent violations of 47 U.S.C. § 227(c).

517. Saul Kash personally owns and uses the cellular phone number xxx-xxx-6751. This number is a residential telephone subscription. In the four years preceding 1/30/2020 (the date Kash's original Complaint was filed), GoSmith sent Kash at least 2 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Kash seeks an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Kash

1 seeks an amount not less than \$1,000 for at least 2 negligent violations of 47 U.S.C. § 227(b),
2 and not less than \$1,000 for at least 2 negligent violations of 47 U.S.C. § 227(c).

3 518. Justin Kelberlau personally owns and uses the cellular phone number xxx-xxx-
4 4705. This number is a residential telephone subscription and is Kelberlau's personal cell
5 phone, which he pays for out of his personal bank account and uses to make all his personal
6 calls. It is Kelberlau's only phone number. In the four years preceding 1/30/2020 (the date
7 Kelberlau's original Complaint was filed), GoSmith sent Kelberlau at least 6 telemarketing text
8 messages at this number. GoSmith knowingly and willfully sent these text messages using an
9 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
10 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
11 procedures that meet the minimum standards required for telemarketing in violation of 47
12 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Kelberlau seeks an amount not less than \$9,000
13 for at least 6 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
14 \$9,000 for at least 6 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
15 Kelberlau seeks an amount not less than \$3,000 for at least 6 negligent violations of 47 U.S.C.
16 § 227(b), and not less than \$3,000 for at least 6 negligent violations of 47 U.S.C. § 227(c).

17 519. Dennis Kellerman personally owns and uses the cellular phone number xxx-xxx-
18 9570. This number is a residential telephone subscription and is Kellerman's personal cell
19 phone, which he pays for out of his personal bank account and uses to make all his personal
20 calls. It is Kellerman's only phone number, which he uses for all his personal calls and also for
21 some work calls related to his home-based business. In the four years preceding 1/30/2020 (the
22 date Kellerman's original Complaint was filed), GoSmith sent Kellerman at least 148
23 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
24 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
25 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
26 text messages without instituting procedures that meet the minimum standards required for
27 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Kellerman seeks

1 an amount not less than \$222,000 for at least 148 knowing and willful violations of 47 U.S.C. §
2 227(b), and an amount not less than \$222,000 for at least 148 knowing and willful violations of
3 47 U.S.C. § 227(c). Alternatively, Kellerman seeks an amount not less than \$74,000 for at least
4 148 negligent violations of 47 U.S.C. § 227(b), and not less than \$74,000 for at least 148
5 negligent violations of 47 U.S.C. § 227(c).

6 520. Mike Kelly personally owns and uses the cellular phone number xxx-xxx-7250.
7 This number is a residential telephone subscription. On 7/24/2005, Kelly registered this
8 number on the National Do Not Call Registry. In the four years preceding 4/29/2020 (the date
9 Kelly's original Complaint was filed), GoSmith sent Kelly at least 8 telemarketing text
10 messages at this number. GoSmith knowingly and willfully sent these text messages using an
11 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
12 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
13 procedures that meet the minimum standards required for telemarketing in violation of 47
14 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
15 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Kelly
16 within a 12-month period after Kelly was registered on the National Do Not Call Registry,
17 including but not limited to the period between 4/29/2016 and 4/29/2017. Kelly seeks an
18 amount not less than \$12,000 for at least 8 knowing and willful violations of 47 U.S.C. §
19 227(b), and an amount not less than \$12,000 for at least 8 knowing and willful violations of 47
20 U.S.C. § 227(c). Alternatively, Kelly seeks an amount not less than \$4,000 for at least 8
21 negligent violations of 47 U.S.C. § 227(b), and not less than \$4,000 for at least 8 negligent
22 violations of 47 U.S.C. § 227(c).

23 521. Tim Kelly personally owns and uses the cellular phone number xxx-xxx-4728.
24 This number is a residential telephone subscription. On 6/30/2003, Kelly registered this
25 number on the National Do Not Call Registry. In the four years preceding 4/27/2020 (the date
26 Kelly's original Complaint was filed), GoSmith sent Kelly at least 11 telemarketing text
27 messages at this number. GoSmith knowingly and willfully sent these text messages using an

1 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
2 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
3 procedures that meet the minimum standards required for telemarketing in violation of 47
4 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
5 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Kelly
6 within a 12-month period after Kelly was registered on the National Do Not Call Registry,
7 including but not limited to the period between 1/31/2017 and 1/31/2018. Kelly seeks an
8 amount not less than \$16,500 for at least 11 knowing and willful violations of 47 U.S.C. §
9 227(b), and an amount not less than \$16,500 for at least 11 knowing and willful violations of
10 47 U.S.C. § 227(c). Alternatively, Kelly seeks an amount not less than \$5,500 for at least 11
11 negligent violations of 47 U.S.C. § 227(b), and not less than \$5,500 for at least 11 negligent
12 violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Kelly at least 11 commercial text
13 messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined
14 number of telephone solicitations in violation of RCW § 80.36.390, for which Kelly seeks an
15 amount not less than \$5,500, attorney's fees, injunctive relief, and treble damages.

16 522. DeWayne Kelly personally owns and uses the cellular phone number xxx-xxx-
17 0254. This number is a residential telephone subscription. In the four years preceding
18 4/28/2020 (the date Kelly's original Complaint was filed), GoSmith sent Kelly at least 677
19 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
20 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
21 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
22 text messages without instituting procedures that meet the minimum standards required for
23 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Kelly seeks an
24 amount not less than \$1,015,500 for at least 677 knowing and willful violations of 47 U.S.C. §
25 227(b), and an amount not less than \$1,015,500 for at least 677 knowing and willful violations
26 of 47 U.S.C. § 227(c). Alternatively, Kelly seeks an amount not less than \$338,500 for at least
27

677 negligent violations of 47 U.S.C. § 227(b), and not less than \$338,500 for at least 677 negligent violations of 47 U.S.C. § 227(c).

523. Michele Kelly personally owns and uses the cellular phone number xxx-xxx-2857. This number is a residential telephone subscription. On 11/6/2015, Kelly registered this number on the National Do Not Call Registry. In the four years preceding 4/22/2020 (the date Kelly's original Complaint was filed), GoSmith sent Kelly at least 45 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Kelly within a 12-month period after Kelly was registered on the National Do Not Call Registry, including but not limited to the period between 9/10/2017 and 9/20/2017. Kelly seeks an amount not less than \$67,500 for at least 45 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$67,500 for at least 45 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Kelly seeks an amount not less than \$22,500 for at least 45 negligent violations of 47 U.S.C. § 227(b), and not less than \$22,500 for at least 45 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Kelly at least 45 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which Kelly seeks an amount not less than \$22,500, attorney's fees, injunctive relief, and treble damages.

524. David Kennedy personally owns and uses the cellular phone number xxx-xxx-1018. This number is a residential telephone subscription. In the four years preceding 4/27/2020 (the date Kennedy's original Complaint was filed), GoSmith sent Kennedy at least 10 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §

1 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
2 text messages without instituting procedures that meet the minimum standards required for
3 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Kennedy seeks an
4 amount not less than \$15,000 for at least 10 knowing and willful violations of 47 U.S.C. §
5 227(b), and an amount not less than \$15,000 for at least 10 knowing and willful violations of
6 47 U.S.C. § 227(c). Alternatively, Kennedy seeks an amount not less than \$5,000 for at least
7 10 negligent violations of 47 U.S.C. § 227(b), and not less than \$5,000 for at least 10 negligent
8 violations of 47 U.S.C. § 227(c).

9 525. William Kennedy personally owns and uses the cellular phone number xxx-xxx-
10 0359. This number is a residential telephone subscription. On 12/8/2004, Kennedy registered
11 this number on the National Do Not Call Registry. In the four years preceding 4/22/2020 (the
12 date Kennedy's original Complaint was filed), GoSmith sent Kennedy at least 16 telemarketing
13 text messages at this number. GoSmith knowingly and willfully sent these text messages using
14 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
15 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
16 instituting procedures that meet the minimum standards required for telemarketing in violation
17 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and
18 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to
19 Kennedy within a 12-month period after Kennedy was registered on the National Do Not Call
20 Registry, including but not limited to the period between 6/29/2016 and 6/29/2017. Kennedy
21 seeks an amount not less than \$24,000 for at least 16 knowing and willful violations of 47
22 U.S.C. § 227(b), and an amount not less than \$24,000 for at least 16 knowing and willful
23 violations of 47 U.S.C. § 227(c). Alternatively, Kennedy seeks an amount not less than \$8,000
24 for at least 16 negligent violations of 47 U.S.C. § 227(b), and not less than \$8,000 for at least
25 16 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Kennedy at least 16
26 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an
27 undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which

1 Kennedy seeks an amount not less than \$8,000, attorney's fees, injunctive relief, and treble
2 damages.

3 526. Kaleb Kensmoe personally owns and uses the cellular phone number xxx-xxx-
4 5983. This number is a residential telephone subscription and was Kensmoe's only phone. He
5 used it for all his personal calls and paid for it out of his personal checking account. On
6 6/26/2009, Kensmoe registered this number on the National Do Not Call Registry. In the four
7 years preceding 4/22/2020 (the date Kensmoe's original Complaint was filed), GoSmith sent
8 Kensmoe at least 34 telemarketing text messages at this number. GoSmith knowingly and
9 willfully sent these text messages using an automatic telephone dialing system in violation of
10 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully
11 sent these text messages without instituting procedures that meet the minimum standards
12 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also
13 in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and
14 willfully sent at least 2 text messages to Kensmoe within a 12-month period after Kensmoe
15 was registered on the National Do Not Call Registry, including but not limited to the period
16 between 3/9/2017 and 10/8/2017. Kensmoe seeks an amount not less than \$51,000 for at least
17 34 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$51,000
18 for at least 34 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Kensmoe
19 seeks an amount not less than \$17,000 for at least 34 negligent violations of 47 U.S.C. §
20 227(b), and not less than \$17,000 for at least 34 negligent violations of 47 U.S.C. § 227(c).

21 527. Jacob Kerlin personally owns and uses the cellular phone number xxx-xxx-6157.
22 This number is a residential telephone subscription and is Kerlin's personal cell phone, which
23 he pays for out of his personal bank account and uses to make all his personal calls. It is
24 Kerlin's only phone number, which he keeps with him and charges on his nightstand in his
25 room at night. In the four years preceding 4/22/2020 (the date Kerlin's original Complaint was
26 filed), GoSmith sent Kerlin at least 11 telemarketing text messages at this number. GoSmith
27 knowingly and willfully sent these text messages using an automatic telephone dialing system

1 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith
2 knowingly and willfully sent these text messages without instituting procedures that meet the
3 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
4 § 64.1200(d). Kerlin seeks an amount not less than \$16,500 for at least 11 knowing and willful
5 violations of 47 U.S.C. § 227(b), and an amount not less than \$16,500 for at least 11 knowing
6 and willful violations of 47 U.S.C. § 227(c). Alternatively, Kerlin seeks an amount not less
7 than \$5,500 for at least 11 negligent violations of 47 U.S.C. § 227(b), and not less than \$5,500
8 for at least 11 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Kerlin at least
9 11 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and
10 an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which
11 Kerlin seeks an amount not less than \$5,500, attorney's fees, injunctive relief, and treble
12 damages.

13 528. Thomas Kernan personally owns and uses the cellular phone number xxx-xxx-
14 7150. This number is a residential telephone subscription, which Kernan pays for out of his
15 personal bank account and uses to make all his personal calls. It is his only phone and he keeps
16 it with him, charging it in his room at night. In the four years preceding 4/21/2020 (the date
17 Kernan's original Complaint was filed), GoSmith sent Kernan at least 340 telemarketing text
18 messages at this number. GoSmith sent the telemarketing texts to his personal cellphone about
19 4 times a week for well over a year. Kernan is still receiving text messages from Defendants,
20 but not as often and reports receiving 2-3 a month, in spite of filing this lawsuit. GoSmith
21 knowingly and willfully sent these text messages using an automatic telephone dialing system
22 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith
23 knowingly and willfully sent these text messages without instituting procedures that meet the
24 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
25 § 64.1200(d). Kernan seeks an amount not less than \$510,000 for at least 340 knowing and
26 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$510,000 for at least 340
27 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Kernan seeks an amount

1 not less than \$170,000 for at least 340 negligent violations of 47 U.S.C. § 227(b), and not less
2 than \$170,000 for at least 340 negligent violations of 47 U.S.C. § 227(c).

3 529. Wes Keysor personally owns and uses the cellular phone number xxx-xxx-7076.
4 Keysor has had this number for over 18 years. This number is a residential telephone
5 subscription on a personal mobile plan with his cellular service provider. On 11/25/2003,
6 Keysor registered this number on the National Do Not Call Registry. Keysor is a home
7 inspector. The number was originally tied to the landline in his home, which he ported to his
8 cell phone due to the mobile nature of his business. Keysor takes all his calls on this cell phone
9 and does not have a landline home phone anymore. In the four years preceding 1/30/2020 (the
10 date Keysor's original Complaint was filed), GoSmith sent Keysor's personal cell phone at least
11 2 telemarketing text messages per week, or more than 286 separate texts). GoSmith knowingly
12 and willfully sent these text messages using an automatic telephone dialing system in violation
13 of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and
14 willfully sent these text messages without instituting procedures that meet the minimum
15 standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. §
16 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith
17 knowingly and willfully sent at least 2 text messages to Keysor within a 12-month period after
18 Keysor was registered on the National Do Not Call Registry, including but not limited to the
19 period between 5/8/2017 and 5/8/2018. Keysor seeks an amount not less than \$429,000 for at
20 least 286 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
21 \$429,000 for at least 286 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
22 Keysor seeks an amount not less than \$143,000 for at least 286 negligent violations of 47
23 U.S.C. § 227(b), and not less than \$143,000 for at least 286 negligent violations of 47 U.S.C. §
24 227(c).

25 530. Julia Kharitonenko personally owns and uses the cellular phone number xxx-xxx-
26 3982. This number is a residential telephone subscription. In the four years preceding
27 4/28/2020 (the date Kharitonenko's original Complaint was filed), GoSmith sent Kharitonenko

1 at least 9 telemarketing text messages at this number. GoSmith knowingly and willfully sent
2 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
3 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
4 text messages without instituting procedures that meet the minimum standards required for
5 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Kharitonenko
6 seeks an amount not less than \$13,500 for at least 9 knowing and willful violations of 47
7 U.S.C. § 227(b), and an amount not less than \$13,500 for at least 9 knowing and willful
8 violations of 47 U.S.C. § 227(c). Alternatively, Kharitonenko seeks an amount not less than
9 \$4,500 for at least 9 negligent violations of 47 U.S.C. § 227(b), and not less than \$4,500 for at
10 least 9 negligent violations of 47 U.S.C. § 227(c).

11 531. Geoff Kidder personally owns and uses the cellular phone number xxx-xxx-1278.
12 This number is a residential telephone subscription. In the four years preceding 4/21/2020 (the
13 date Kidder's original Complaint was filed), GoSmith sent Kidder at least 3 telemarketing text
14 messages at this number. GoSmith knowingly and willfully sent these text messages using an
15 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
16 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
17 procedures that meet the minimum standards required for telemarketing in violation of 47
18 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Kidder seeks an amount not less than \$4,500 for
19 at least 3 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
20 \$4,500 for at least 3 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
21 Kidder seeks an amount not less than \$1,500 for at least 3 negligent violations of 47 U.S.C. §
22 227(b), and not less than \$1,500 for at least 3 negligent violations of 47 U.S.C. § 227(c).

23 532. Steve Kincaid personally owns and uses the cellular phone number xxx-xxx-0307.
24 This number is a residential telephone subscription, but it is Kincaid's business phone and he
25 has another cellphone he uses for personal use. In the four years preceding 1/30/2020 (the date
26 Kincaid's original Complaint was filed), GoSmith sent Kincaid at least 13 telemarketing text
27 messages at this number. GoSmith knowingly and willfully sent these text messages using an

1 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
2 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
3 procedures that meet the minimum standards required for telemarketing in violation of 47
4 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Kincaid seeks an amount not less than \$19,500 for
5 at least 13 knowing and willful violations of 47 U.S.C. § 227(b). Alternatively, Kincaid seeks
6 an amount not less than \$6,500 for at least 13 negligent violations of 47 U.S.C. § 227(b).

7 533. Dennis Kisilev personally owns and uses the cellular phone number xxx-xxx-
8 8066. This number is a residential telephone subscription. On 12/14/2018, Kisilev registered
9 this number on the National Do Not Call Registry. In the four years preceding 4/22/2020 (the
10 date Kisilev's original Complaint was filed), GoSmith sent Kisilev at least 29 telemarketing
11 text messages at this number. GoSmith knowingly and willfully sent these text messages using
12 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
13 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
14 instituting procedures that meet the minimum standards required for telemarketing in violation
15 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and
16 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to
17 Kisilev within a 12-month period after Kisilev was registered on the National Do Not Call
18 Registry, including but not limited to the period between 12/14/2018 and 12/14/2019. Kisilev
19 seeks an amount not less than \$43,500 for at least 29 knowing and willful violations of 47
20 U.S.C. § 227(b), and an amount not less than \$43,500 for at least 29 knowing and willful
21 violations of 47 U.S.C. § 227(c). Alternatively, Kisilev seeks an amount not less than \$14,500
22 for at least 29 negligent violations of 47 U.S.C. § 227(b), and not less than \$14,500 for at least
23 29 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Kisilev at least 29
24 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an
25 undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which
26 Kisilev seeks an amount not less than \$14,500, attorney's fees, injunctive relief, and treble
27 damages.

534. Kevin Kittler personally owns and uses the cellular phone number xxx-xxx-2587. This number is a residential telephone subscription. In the four years preceding 1/30/2020 (the date Kittler's original Complaint was filed), GoSmith sent Kittler at least 42 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Kittler seeks an amount not less than \$63,000 for at least 42 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$63,000 for at least 42 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Kittler seeks an amount not less than \$21,000 for at least 42 negligent violations of 47 U.S.C. § 227(b), and not less than \$21,000 for at least 42 negligent violations of 47 U.S.C. § 227(c).

535. Michael Knauff personally owns and uses the cellular phone number xxx-xxx-9143. This number is a residential telephone subscription. In the four years preceding 4/22/2020 (the date Knauff's original Complaint was filed), GoSmith sent Knauff at least 46 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Knauff seeks an amount not less than \$69,000 for at least 46 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$69,000 for at least 46 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Knauff seeks an amount not less than \$23,000 for at least 46 negligent violations of 47 U.S.C. § 227(b), and not less than \$23,000 for at least 46 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Knauff at least 46 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined

1 number of telephone solicitations in violation of RCW § 80.36.390, for which Knauff seeks an
2 amount not less than \$23,000, attorney's fees, injunctive relief, and treble damages.

3 536. Vivian Knezevich personally owns and uses the cellular phone number xxx-xxx-
4 9771. This number is a residential telephone subscription and is Knezevich's personal cell
5 phone and her only phone. She uses it for all her personal calls, charges it at home, and carries
6 it with her everywhere. It is the number her family and friends use to get in touch with her. In
7 the four years preceding 4/28/2020 (the date Knezevich's original Complaint was filed),
8 GoSmith sent Knezevich at least 138 telemarketing text messages at this number. Knezevich
9 has screenshots of texts she received as early as June 2017 and as late as February 2019.
10 GoSmith's texts would come in waves. At times, she received a text almost every day.
11 Eventually, Knezevich would block the number, but she would inevitably start getting the texts
12 from a new number. Knezevich was worried that GoSmith would eventually spoof the number
13 of an actual client and didn't dare block all the numbers they texted her from. The constant
14 texts harassed Knezevich and constantly interrupted her day. GoSmith knowingly and willfully
15 sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C.
16 § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
17 text messages without instituting procedures that meet the minimum standards required for
18 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Knezevich seeks
19 an amount not less than \$207,000 for at least 138 knowing and willful violations of 47 U.S.C. §
20 227(b), and an amount not less than \$207,000 for at least 138 knowing and willful violations of
21 47 U.S.C. § 227(c). Alternatively, Knezevich seeks an amount not less than \$69,000 for at least
22 138 negligent violations of 47 U.S.C. § 227(b), and not less than \$69,000 for at least 138
23 negligent violations of 47 U.S.C. § 227(c).

24 537. Heidi Knutson personally owns and uses the cellular phone number xxx-xxx-
25 5450. This number is a residential telephone subscription and is Knutson's only phone. She
26 uses this number to make all her personal calls and it is the number by which all her friends
27 and family contact her. She pays for it with her personal bank account and keeps it in her room

1 at night. Knutson runs a cleaning business out of her home and gives her personal phone
2 number to her clients, but it is her only number and not a business-dedicated number. In the
3 four years preceding 1/30/2020 (the date Knutson's original Complaint was filed), GoSmith
4 sent Knutson at least 6 telemarketing text messages at this number and up to several times a
5 week. GoSmith knowingly and willfully sent these text messages using an automatic telephone
6 dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7).
7 GoSmith knowingly and willfully sent these text messages without instituting procedures that
8 meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and
9 47 C.F.R. § 64.1200(d). Knutson seeks an amount not less than \$9,000 for at least 6 knowing
10 and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$9,000 for at least 6
11 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Knutson seeks an amount
12 not less than \$3,000 for at least 6 negligent violations of 47 U.S.C. § 227(b), and not less than
13 \$3,000 for at least 6 negligent violations of 47 U.S.C. § 227(c).

14 538. Brandon Koch personally owns and uses the cellular phone number xxx-xxx-
15 9080. This number is a residential telephone subscription and is Koch's only phone. This is his
16 personal telephone number and the number he uses to do all of his personal calls. He pays for it
17 out of his personal bank account and it is on a personal or family plan with his cellular service
18 provider. In the four years preceding 4/22/2020 (the date Koch's original Complaint was filed),
19 GoSmith sent Koch at least 83 telemarketing text messages at this number, often sending
20 multiple texts a day. GoSmith knowingly and willfully sent these text messages using an
21 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
22 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
23 procedures that meet the minimum standards required for telemarketing in violation of 47
24 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Koch seeks an amount not less than \$124,500 for
25 at least 83 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
26 \$124,500 for at least 83 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
27 Koch seeks an amount not less than \$41,500 for at least 83 negligent violations of 47 U.S.C. §

227(b), and not less than \$41,500 for at least 83 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Koch at least 83 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which Koch seeks an amount not less than \$41,500, attorney's fees, injunctive relief, and treble damages.

539. Joe Kokoruda personally owns and uses the cellular phone number xxx-xxx-0143. This number is a residential telephone subscription. In the four years preceding 4/24/2020 (the date Kokoruda's original Complaint was filed), GoSmith sent Kokoruda at least 184 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Kokoruda seeks an amount not less than \$276,000 for at least 184 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$276,000 for at least 184 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Kokoruda seeks an amount not less than \$92,000 for at least 184 negligent violations of 47 U.S.C. § 227(b), and not less than \$92,000 for at least 184 negligent violations of 47 U.S.C. § 227(c).

540. Blaine Konow personally owns and uses the cellular phone number xxx-xxx-6306. This number is a residential telephone subscription and is Konow's only phone. He makes all of his personal calls using this cell phone. He does use it occasionally for work calls, but he pays for it out of his personal bank account and this is the number his friends and family use to contact him. He carries this phone with him and charges it in his room at night. On 7/24/2015, Konow registered this number on the National Do Not Call Registry. In the four years preceding 4/21/2020 (the date Konow's original Complaint was filed), GoSmith sent Konow at least 42 telemarketing text messages at this number. Konow would get up to 6 texts a day. He tried blocking the texts and filing FCC complaints, but the texts kept coming for a

1 while. GoSmith knowingly and willfully sent these text messages using an automatic telephone
2 dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7).

3 GoSmith knowingly and willfully sent these text messages without instituting procedures that
4 meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and
5 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c),
6 GoSmith knowingly and willfully sent at least 2 text messages to Konow within a 12-month
7 period after Konow was registered on the National Do Not Call Registry, including but not
8 limited to the period between 4/21/2016 and 4/21/2017. Konow seeks an amount not less than
9 \$63,000 for at least 42 knowing and willful violations of 47 U.S.C. § 227(b), and an amount
10 not less than \$63,000 for at least 42 knowing and willful violations of 47 U.S.C. § 227(c).

11 Alternatively, Konow seeks an amount not less than \$21,000 for at least 42 negligent violations
12 of 47 U.S.C. § 227(b), and not less than \$21,000 for at least 42 negligent violations of 47
13 U.S.C. § 227(c).

14 541. Jason Kotar personally owns and uses the cellular phone number xxx-xxx-1517.
15 This number is a residential telephone subscription and is Kotar's only phone. He uses this cell
16 phone for all his personal calls and pays for it out of his personal bank account. He charges it at
17 his house. He also takes work calls related to his home-based business on this phone. In the
18 four years preceding 4/28/2020 (the date Kotar's original Complaint was filed), GoSmith sent
19 Kotar at least 54 telemarketing text messages at this number. GoSmith knowingly and willfully
20 sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C.
21 § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
22 text messages without instituting procedures that meet the minimum standards required for
23 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Kotar seeks an
24 amount not less than \$81,000 for at least 54 knowing and willful violations of 47 U.S.C. §
25 227(b), and an amount not less than \$81,000 for at least 54 knowing and willful violations of
26 47 U.S.C. § 227(c). Alternatively, Kotar seeks an amount not less than \$27,000 for at least 54
27

1 negligent violations of 47 U.S.C. § 227(b), and not less than \$27,000 for at least 54 negligent
2 violations of 47 U.S.C. § 227(c).

3 542. Tim Kovalsky personally owns and uses the cellular phone number xxx-xxx-
4 5667. This number is a residential telephone subscription. On 2/19/2008, Kovalsky registered
5 this number on the National Do Not Call Registry. In the four years preceding 4/29/2020 (the
6 date Kovalsky's original Complaint was filed), GoSmith sent Kovalsky at least 32
7 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
8 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
9 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
10 text messages without instituting procedures that meet the minimum standards required for
11 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
12 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
13 least 2 text messages to Kovalsky within a 12-month period after Kovalsky was registered on
14 the National Do Not Call Registry, including but not limited to the period between 2/14/2017
15 and 2/14/2018. Kovalsky seeks an amount not less than \$48,000 for at least 32 knowing and
16 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$48,000 for at least 32
17 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Kovalsky seeks an amount
18 not less than \$16,000 for at least 32 negligent violations of 47 U.S.C. § 227(b), and not less
19 than \$16,000 for at least 32 negligent violations of 47 U.S.C. § 227(c).

20 543. Jean Kropp personally owns and uses the cellular phone number xxx-xxx-0439.
21 This number is a residential telephone subscription and is Kropp's personal phone. Her
22 business has a separate number from her cell phone. This number is the only one she uses for
23 communicating with friends and family. In the four years preceding 4/21/2020 (the date
24 Kropp's original Complaint was filed), GoSmith sent Kropp at least 169 telemarketing text
25 messages at this number. GoSmith sent Kropp's personal cell phone multiple texts each day for
26 nearly a year. Kropp does commercial sales only. She responded to the texts to ask them to
27 stop sending the texts and to tell them they had the wrong number, but they continued to send

1 her solicitations to purchase residential job leads. Kropp consistently told GoSmith that she
2 was not interested and tried to opt out of any future texts. The texts from GoSmith came from
3 many different phone numbers. GoSmith knowingly and willfully sent these text messages
4 using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and
5 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
6 instituting procedures that meet the minimum standards required for telemarketing in violation
7 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Kropp seeks an amount not less than
8 \$253,500 for at least 169 knowing and willful violations of 47 U.S.C. § 227(b), and an amount
9 not less than \$253,500 for at least 169 knowing and willful violations of 47 U.S.C. § 227(c).
10 Alternatively, Kropp seeks an amount not less than \$84,500 for at least 169 negligent
11 violations of 47 U.S.C. § 227(b), and not less than \$84,500 for at least 169 negligent violations
12 of 47 U.S.C. § 227(c).

13 544. Caleb Kruger personally owns and uses the cellular phone number xxx-xxx-5897.
14 This number is a residential telephone subscription. In the four years preceding 4/27/2020 (the
15 date Kruger's original Complaint was filed), GoSmith sent Kruger at least 69 telemarketing text
16 messages at this number. GoSmith knowingly and willfully sent these text messages using an
17 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
18 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
19 procedures that meet the minimum standards required for telemarketing in violation of 47
20 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Kruger seeks an amount not less than \$103,500
21 for at least 69 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less
22 than \$103,500 for at least 69 knowing and willful violations of 47 U.S.C. § 227(c).
23 Alternatively, Kruger seeks an amount not less than \$34,500 for at least 69 negligent violations
24 of 47 U.S.C. § 227(b), and not less than \$34,500 for at least 69 negligent violations of 47
25 U.S.C. § 227(c).

26 545. Daniel Kryger personally owns and uses the cellular phone number xxx-xxx-
27 3711. This number is a residential telephone subscription. In the four years preceding

1 4/22/2020 (the date Kryger's original Complaint was filed), GoSmith sent Kryger at least 341
2 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
3 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
4 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
5 text messages without instituting procedures that meet the minimum standards required for
6 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Kryger seeks an
7 amount not less than \$511,500 for at least 341 knowing and willful violations of 47 U.S.C. §
8 227(b), and an amount not less than \$511,500 for at least 341 knowing and willful violations of
9 47 U.S.C. § 227(c). Alternatively, Kryger seeks an amount not less than \$170,500 for at least
10 341 negligent violations of 47 U.S.C. § 227(b), and not less than \$170,500 for at least 341
11 negligent violations of 47 U.S.C. § 227(c).

12 546. Melissa Kuchman personally owns and uses the cellular phone number xxx-xxx-
13 2355. This number is a residential telephone subscription and is Kuchman's only phone. This is
14 her personal cell phone and she pays for it out of her personal bank account. This is the phone
15 her friends and family use to contact Kuchman. On 9/4/2005, Kuchman registered this number
16 on the National Do Not Call Registry. Despite being present on the National Do Not Call
17 Registry for over 15 years, in the four years preceding 4/22/2020 (the date Kuchman's original
18 Complaint was filed), GoSmith sent Kuchman at least 28 telemarketing text messages at this
19 number. GoSmith knowingly and willfully sent these text messages using an automatic
20 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
21 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
22 procedures that meet the minimum standards required for telemarketing in violation of 47
23 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
24 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to
25 Kuchman within a 12-month period after Kuchman was registered on the National Do Not Call
26 Registry, including but not limited to the period between 9/9/2017 and 9/16/2017. Kuchman
27 seeks an amount not less than \$42,000 for at least 28 knowing and willful violations of 47

1 U.S.C. § 227(b), and an amount not less than \$42,000 for at least 28 knowing and willful
2 violations of 47 U.S.C. § 227(c). Alternatively, Kuchman seeks an amount not less than
3 \$14,000 for at least 28 negligent violations of 47 U.S.C. § 227(b), and not less than \$14,000 for
4 at least 28 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Kuchman at least
5 28 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and
6 an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which
7 Kuchman seeks an amount not less than \$14,000, attorney's fees, injunctive relief, and treble
8 damages.

9 547. Matthew Kuehn personally owns and uses the cellular phone number xxx-xxx-
10 6386. This number is a residential telephone subscription and is Kuehn's personal cell phone.
11 He has a separate number for his business phone. This number is strictly Kuehn's personal
12 number and is used for friends and family, or only for customers in an emergency, but Kuehn
13 has always tried to keep the numbers separate to protect his privacy. In the four years
14 preceding 1/30/2020 (the date Kuehn's original Complaint was filed), GoSmith sent Kuehn's
15 personal cell phone at least 2 telemarketing text messages per week, going silent for a while,
16 then texting several times a week all over again. GoSmith knowingly and willfully sent these
17 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
18 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
19 text messages without instituting procedures that meet the minimum standards required for
20 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Kuehn seeks an
21 amount not less than \$21,000 for at least 14 knowing and willful violations of 47 U.S.C. §
22 227(b), and an amount not less than \$21,000 for at least 14 knowing and willful violations of
23 47 U.S.C. § 227(c). Alternatively, Kuehn seeks an amount not less than \$7,000 for at least 14
24 negligent violations of 47 U.S.C. § 227(b), and not less than \$7,000 for at least 14 negligent
25 violations of 47 U.S.C. § 227(c).

26 548. Michael Kurz personally owns and uses the cellular phone number xxx-xxx-5879.
27 This number is a residential telephone subscription and Kurz's only telephone. Kurz has used

1 this cell phone to communicate with family and friends since 1999. Kurz pays for this cell
 2 phone with a personal bank account and keeps this cell phone on his at all times. On 1/17/2009,
 3 Kurz registered this number on the National Do Not Call Registry. In the four years preceding
 4 4/21/2020 (the date Kurz's original Complaint was filed), GoSmith sent Kurz at least 15
 5 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
 6 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
 7 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
 8 text messages without instituting procedures that meet the minimum standards required for
 9 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
 10 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
 11 least 2 text messages to Kurz within a 12-month period after Kurz was registered on the
 12 National Do Not Call Registry, including but not limited to the period between 10/10/2016 and
 13 10/10/2017. Kurz seeks an amount not less than \$22,500 for at least 15 knowing and willful
 14 violations of 47 U.S.C. § 227(b), and an amount not less than \$22,500 for at least 15 knowing
 15 and willful violations of 47 U.S.C. § 227(c). Alternatively, Kurz seeks an amount not less than
 16 \$7,500 for at least 15 negligent violations of 47 U.S.C. § 227(b), and not less than \$7,500 for at
 17 least 15 negligent violations of 47 U.S.C. § 227(c).

18 549. Thomas Kyte personally owns and uses the cellular phone number xxx-xxx-8923.
 19 This number is a Kyte's personal, residential telephone subscription that Kyte has occasionally
 20 used in a home-based business. In the four years preceding 4/30/2020 (the date Kyte's
 21 original Complaint was filed), Defendants knowingly sent at least 10 telemarketing text
 22 messages to Kyte at this number, without first obtaining Kyte's prior express consent in any
 23 form. On information and belief, the actual number of violations is much higher. Defendants
 24 knowingly and willfully sent these text messages using an automatic telephone dialing system
 25 in violation of 47 U.S.C. § 227(b)(1)(A)(iii). Kyte does not wish to receive telephone
 26 solicitations and personally registered this residential telephone number on the National Do
 27 Not Call Registry on 01/15/2009. Defendants knowingly and willfully sent at least 5 text

1 messages to Kyte within a 12-month period after Kyte was registered on the National Do Not
2 Call Registry, including but not limited to the period between 04/30/2016 and 04/30/2017,
3 violating 47 U.S.C. § 227(c). Further, Defendants knowingly and willfully sent these text
4 messages without instituting procedures that meet the minimum standards required for
5 telemarketing, in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Kyte seeks an
6 amount not less than \$15,000 for at least 10 knowing and willful violations of 47 U.S.C. §
7 227(b), and an amount not less than \$15,000 for at least 10 knowing and willful violations of
8 47 U.S.C. § 227(c). Alternatively, Kyte seeks an amount not less than \$5,000 for at least 10
9 negligent violations of 47 U.S.C. § 227(b), and not less than \$5,000 for at least 10 negligent
10 violations of 47 U.S.C. § 227(c).

11 550. Irma Lainez personally owns and uses the cellular phone number xxx-xxx-3677.
12 This number is a residential telephone subscription. In the four years preceding 4/28/2020 (the
13 date Lainez's original Complaint was filed), GoSmith sent Lainez at least 26 telemarketing text
14 messages at this number. GoSmith knowingly and willfully sent these text messages using an
15 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
16 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
17 procedures that meet the minimum standards required for telemarketing in violation of 47
18 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Lainez seeks an amount not less than \$39,000 for
19 at least 26 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
20 \$39,000 for at least 26 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
21 Lainez seeks an amount not less than \$13,000 for at least 26 negligent violations of 47 U.S.C. §
22 227(b), and not less than \$13,000 for at least 26 negligent violations of 47 U.S.C. § 227(c).

23 551. Steve Lambert personally owns and uses the cellular phone number xxx-xxx-
24 1155. This number is a residential telephone subscription. On 5/19/2010, Lambert registered
25 this number on the National Do Not Call Registry. In the four years preceding 4/21/2020 (the
26 date Lambert's original Complaint was filed), GoSmith sent Lambert at least 663 telemarketing
27 text messages at this number. GoSmith knowingly and willfully sent these text messages using

1 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
2 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
3 instituting procedures that meet the minimum standards required for telemarketing in violation
4 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and
5 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to
6 Lambert within a 12-month period after Lambert was registered on the National Do Not Call
7 Registry, including but not limited to the period between 4/3/2017 and 4/3/2018. Lambert
8 seeks an amount not less than \$994,500 for at least 663 knowing and willful violations of 47
9 U.S.C. § 227(b), and an amount not less than \$994,500 for at least 663 knowing and willful
10 violations of 47 U.S.C. § 227(c). Alternatively, Lambert seeks an amount not less than
11 \$331,500 for at least 663 negligent violations of 47 U.S.C. § 227(b), and not less than
12 \$331,500 for at least 663 negligent violations of 47 U.S.C. § 227(c).

13 552. Jeffrey Lambert personally owns and uses the cellular phone number xxx-xxx-
14 4137. This number is a residential telephone subscription and is Lambert's personal cell phone.
15 Lambert uses this cell phone to communicate with friends and family. Lambert keeps this cell
16 phone on him at all times and charges the cell phone by his bedside at night. Lambert pays for
17 this cell phone from a personal bank account. In the four years preceding 4/22/2020 (the date
18 Lambert's original Complaint was filed), GoSmith sent Lambert at least 3 telemarketing text
19 messages at this number. GoSmith knowingly and willfully sent these text messages using an
20 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
21 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
22 procedures that meet the minimum standards required for telemarketing in violation of 47
23 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Lambert seeks an amount not less than \$4,500 for
24 at least 3 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
25 \$4,500 for at least 3 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
26 Lambert seeks an amount not less than \$1,500 for at least 3 negligent violations of 47 U.S.C. §
27 227(b), and not less than \$1,500 for at least 3 negligent violations of 47 U.S.C. § 227(c).

1 Finally, GoSmith sent Lambert at least 3 commercial text messages in violation of RCW §§
2 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in
3 violation of RCW § 80.36.390, for which Lambert seeks an amount not less than \$1,500,
4 attorney's fees, injunctive relief, and treble damages.

5 553. Elam Lamdan personally owns and uses the cellular phone number xxx-xxx-0091.
6 This number is a residential telephone subscription. On 1/4/2005, Lamdan registered this
7 number on the National Do Not Call Registry. In the four years preceding 4/21/2020 (the date
8 Lamdan's original Complaint was filed), GoSmith sent Lamdan at least 549 telemarketing text
9 messages at this number. GoSmith knowingly and willfully sent these text messages using an
10 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
11 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
12 procedures that meet the minimum standards required for telemarketing in violation of 47
13 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
14 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Lamdan
15 within a 12-month period after Lamdan was registered on the National Do Not Call Registry,
16 including but not limited to the period between 4/21/2016 and 4/21/2017. Lamdan seeks an
17 amount not less than \$823,500 for at least 549 knowing and willful violations of 47 U.S.C. §
18 227(b), and an amount not less than \$823,500 for at least 549 knowing and willful violations of
19 47 U.S.C. § 227(c). Alternatively, Lamdan seeks an amount not less than \$274,500 for at least
20 549 negligent violations of 47 U.S.C. § 227(b), and not less than \$274,500 for at least 549
21 negligent violations of 47 U.S.C. § 227(c).

22 554. Randy Landman personally owns and uses the cellular phone number xxx-xxx-
23 7714. This number is a residential telephone subscription and is Landman's only cell phone.
24 Landman uses this cell phone to communicate with friends and family and keeps this phone on
25 him at all times. Landman charges this phone near his bedside at night. On 1/14/2006,
26 Landman registered this number on the National Do Not Call Registry. In the four years
27 preceding 1/30/2020 (the date Landman's original Complaint was filed), GoSmith sent

1 Landman at least 9 telemarketing text messages at this number. GoSmith knowingly and
2 willfully sent these text messages using an automatic telephone dialing system in violation of
3 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully
4 sent these text messages without instituting procedures that meet the minimum standards
5 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also
6 in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and
7 willfully sent at least 2 text messages to Landman within a 12-month period after Landman
8 was registered on the National Do Not Call Registry, including but not limited to the period
9 between 5/24/2017 and 6/24/2017. Landman seeks an amount not less than \$13,500 for at least
10 9 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$13,500
11 for at least 9 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Landman
12 seeks an amount not less than \$4,500 for at least 9 negligent violations of 47 U.S.C. § 227(b),
13 and not less than \$4,500 for at least 9 negligent violations of 47 U.S.C. § 227(c).

14 555. Lance Lane personally owns and uses the cellular phone number xxx-xxx-8857.
15 This number is a residential telephone subscription and Lane's only cell phone. Lane uses this
16 cell phone to communicate with friends and family and keeps this cell phone on him at all
17 times. Lane pays for this cell phone with funds from a personal bank account. In the four years
18 preceding 4/28/2020 (the date Lane's original Complaint was filed), GoSmith sent Lane at least
19 588 telemarketing text messages at this number. GoSmith knowingly and willfully sent these
20 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
21 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
22 text messages without instituting procedures that meet the minimum standards required for
23 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Lane seeks an
24 amount not less than \$882,000 for at least 588 knowing and willful violations of 47 U.S.C. §
25 227(b), and an amount not less than \$882,000 for at least 588 knowing and willful violations of
26 47 U.S.C. § 227(c). Alternatively, Lane seeks an amount not less than \$294,000 for at least 588
27

1 negligent violations of 47 U.S.C. § 227(b), and not less than \$294,000 for at least 588 negligent
2 violations of 47 U.S.C. § 227(c).

3 556. Christopher Lang personally owns and uses the cellular phone number xxx-xxx-
4 8008. This number is a residential telephone subscription. In the four years preceding
5 4/28/2020 (the date Lang's original Complaint was filed), GoSmith sent Lang at least 9
6 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
7 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
8 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
9 text messages without instituting procedures that meet the minimum standards required for
10 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Lang seeks an
11 amount not less than \$13,500 for at least 9 knowing and willful violations of 47 U.S.C. §
12 227(b), and an amount not less than \$13,500 for at least 9 knowing and willful violations of 47
13 U.S.C. § 227(c). Alternatively, Lang seeks an amount not less than \$4,500 for at least 9
14 negligent violations of 47 U.S.C. § 227(b), and not less than \$4,500 for at least 9 negligent
15 violations of 47 U.S.C. § 227(c).

16 557. Donavon Largent personally owns and uses the cellular phone number xxx-xxx-
17 6057. This number is a residential telephone subscription. In the four years preceding
18 4/22/2020 (the date Largent's original Complaint was filed), GoSmith sent Largent at least 98
19 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
20 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
21 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
22 text messages without instituting procedures that meet the minimum standards required for
23 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Largent seeks an
24 amount not less than \$147,000 for at least 98 knowing and willful violations of 47 U.S.C. §
25 227(b), and an amount not less than \$147,000 for at least 98 knowing and willful violations of
26 47 U.S.C. § 227(c). Alternatively, Largent seeks an amount not less than \$49,000 for at least
27

98 negligent violations of 47 U.S.C. § 227(b), and not less than \$49,000 for at least 98 negligent violations of 47 U.S.C. § 227(c).

558. Eli Larreau personally owns and uses the cellular phone number xxx-xxx-4877. This number is a residential telephone subscription and Larreau's only telephone. Larreau uses this cell phone to communicate with family and friends and keeps this phone on him at all times. Larreau charges this cell phone near his bedside at night. In the four years preceding 4/22/2020 (the date Larreau's original Complaint was filed), GoSmith sent Larreau at least 491 telemarketing text messages at this number. GoSmith sent these messages at all hours of the day and every day of the week, including weekends and holidays; Larreau received 3 messages on Christmas Day. Larreau tried tirelessly to stop the text messages but was unable to do so. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Larreau seeks an amount not less than \$1,345,500 for at least 897 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$1,345,500 for at least 897 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Larreau seeks an amount not less than \$448,500 for at least 897 negligent violations of 47 U.S.C. § 227(b), and not less than \$448,500 for at least 897 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Larreau at least 897 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which Larreau seeks an amount not less than \$448,500, attorney's fees, injunctive relief, and treble damages.

559. Torben Larsen personally owns and uses the cellular phone number xxx-xxx-8464. This number is a residential telephone subscription and Larsen's only telephone. Larsen uses this cell phone to communicate with friends and family and keeps this cell phone on him at all times. Larsen pays for this cell phone with funds from a personal bank account. In the

four years preceding 1/30/2020 (the date Larsen's original Complaint was filed), GoSmith sent Larsen at least 28 telemarketing text messages at this number. At times Defendants texted Larsen three times a week, others less. Larsen found it very irritating. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Larsen seeks an amount not less than \$42,000 for at least 28 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$42,000 for at least 28 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Larsen seeks an amount not less than \$14,000 for at least 28 negligent violations of 47 U.S.C. § 227(b), and not less than \$14,000 for at least 28 negligent violations of 47 U.S.C. § 227(c).

560. Jeremie Larsen personally owns and uses the cellular phone number xxx-xxx-4393. Larsen uses this number for work. In the four years preceding 4/27/2020 (the date Larsen's original Complaint was filed), GoSmith sent Larsen at least 9 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). Larsen seeks an amount not less than \$13,500 for at least 9 knowing and willful violations of 47 U.S.C. § 227(b). Alternatively, Larsen seeks an amount not less than \$4,500 for at least 9 negligent violations of 47 U.S.C. § 227(b). Finally, GoSmith sent Larsen at least 9 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, and 80.36.400, for which Larsen seeks an amount not less than \$4,500, attorney's fees, injunctive relief, and treble damages.

561. Swede Larson personally owns and uses the cellular phone number xxx-xxx-2473. This number is a residential telephone subscription and his Larson's personal cell phone. Larson uses this cell phone to communicate with family and friends and keeps this phone on him at all times. Larson charges this phone near his bedside at night. Larson pays for this cell

1 phone using funds from a personal bank account. In the four years preceding 4/22/2020 (the
2 date Larson's original Complaint was filed), GoSmith sent Larson at least 103 telemarketing
3 text messages at this number. GoSmith knowingly and willfully sent these text messages using
4 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
5 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
6 instituting procedures that meet the minimum standards required for telemarketing in violation
7 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Larson seeks an amount not less than
8 \$154,500 for at least 103 knowing and willful violations of 47 U.S.C. § 227(b), and an amount
9 not less than \$154,500 for at least 103 knowing and willful violations of 47 U.S.C. § 227(c).
10 Alternatively, Larson seeks an amount not less than \$51,500 for at least 103 negligent
11 violations of 47 U.S.C. § 227(b), and not less than \$51,500 for at least 103 negligent violations
12 of 47 U.S.C. § 227(c).

13 562. James Latronica personally owns and uses the cellular phone number xxx-xxx-
14 1492. This number is a residential telephone subscription. On 1/11/2006, Latronica registered
15 this number on the National Do Not Call Registry. In the four years preceding 4/27/2020 (the
16 date Latronica's original Complaint was filed), GoSmith sent Latronica at least 49
17 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
18 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
19 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
20 text messages without instituting procedures that meet the minimum standards required for
21 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
22 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
23 least 2 text messages to Latronica within a 12-month period after Latronica was registered on
24 the National Do Not Call Registry, including but not limited to the period between 4/27/2016
25 and 4/27/2017. Latronica seeks an amount not less than \$73,500 for at least 49 knowing and
26 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$73,500 for at least 49
27 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Latronica seeks an amount

1 not less than \$24,500 for at least 49 negligent violations of 47 U.S.C. § 227(b), and not less
2 than \$24,500 for at least 49 negligent violations of 47 U.S.C. § 227(c).

3 563. Edward LaValley personally owns and uses the cellular phone number xxx-xxx-
4 9876. This number is a residential telephone subscription and is LaValley's only telephone.
5 LaValley uses this phone to communicate with friends and family and keeps this phone on him
6 at all times. LaValley charges this phone by his bedside at night. LaValley pays for this phone
7 with funds from a personal bank account. In the four years preceding 1/30/2020 (the date
8 LaValley's original Complaint was filed), GoSmith sent LaValley at least 43 telemarketing text
9 messages at this number. GoSmith knowingly and willfully sent these text messages using an
10 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
11 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
12 procedures that meet the minimum standards required for telemarketing in violation of 47
13 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). LaValley seeks an amount not less than \$64,500
14 for at least 43 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less
15 than \$64,500 for at least 43 knowing and willful violations of 47 U.S.C. § 227(c).

16 Alternatively, LaValley seeks an amount not less than \$21,500 for at least 43 negligent
17 violations of 47 U.S.C. § 227(b), and not less than \$21,500 for at least 43 negligent violations
18 of 47 U.S.C. § 227(c).

19 564. Josh Lawlor personally owns and uses the cellular phone number xxx-xxx-0374.
20 This number is a residential telephone subscription. On 12/11/2004, Lawlor registered this
21 number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date
22 Lawlor's original Complaint was filed), GoSmith sent Lawlor at least 3 telemarketing text
23 messages at this number. GoSmith knowingly and willfully sent these text messages using an
24 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
25 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
26 procedures that meet the minimum standards required for telemarketing in violation of 47
27 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47

1 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Lawlor
2 within a 12-month period after Lawlor was registered on the National Do Not Call Registry,
3 including but not limited to the period between 6/20/2017 and 8/30/2017. Lawlor seeks an
4 amount not less than \$4,500 for at least 3 knowing and willful violations of 47 U.S.C. § 227(b),
5 and an amount not less than \$4,500 for at least 3 knowing and willful violations of 47 U.S.C. §
6 227(c). Alternatively, Lawlor seeks an amount not less than \$1,500 for at least 3 negligent
7 violations of 47 U.S.C. § 227(b), and not less than \$1,500 for at least 3 negligent violations of
8 47 U.S.C. § 227(c).

9 565. Ed Lawlor personally owns and uses the cellular phone number xxx-xxx-1995.
10 This number is a residential telephone subscription. On 4/12/2008, Lawlor registered this
11 number on the National Do Not Call Registry. In the four years preceding 4/22/2020 (the date
12 Lawlor's original Complaint was filed), GoSmith sent Lawlor at least 85 telemarketing text
13 messages at this number. GoSmith knowingly and willfully sent these text messages using an
14 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
15 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
16 procedures that meet the minimum standards required for telemarketing in violation of 47
17 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
18 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Lawlor
19 within a 12-month period after Lawlor was registered on the National Do Not Call Registry,
20 including but not limited to the period between 2/3/2017 and 2/3/2018. Lawlor seeks an
21 amount not less than \$127,500 for at least 85 knowing and willful violations of 47 U.S.C. §
22 227(b), and an amount not less than \$127,500 for at least 85 knowing and willful violations of
23 47 U.S.C. § 227(c). Alternatively, Lawlor seeks an amount not less than \$42,500 for at least 85
24 negligent violations of 47 U.S.C. § 227(b), and not less than \$42,500 for at least 85 negligent
25 violations of 47 U.S.C. § 227(c).

26 566. Allisyn Layton personally owns and uses the cellular phone number xxx-xxx-
27 2037. This number is a residential telephone subscription and Layton's only telephone. Layton

1 uses this cell phone to communicate with friends and family and keeps this phone on her at all
2 times. Layton charges this phone by her bedside at night. In the four years preceding 1/30/2020
3 (the date Layton's original Complaint was filed), GoSmith sent Layton at least 3 telemarketing
4 text messages per month at this number. GoSmith knowingly and willfully sent these text
5 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
6 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
7 text messages without instituting procedures that meet the minimum standards required for
8 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Layton seeks an
9 amount not less than \$52,500 for at least 35 knowing and willful violations of 47 U.S.C. §
10 227(b), and an amount not less than \$52,500 for at least 35 knowing and willful violations of
11 47 U.S.C. § 227(c). Alternatively, Layton seeks an amount not less than \$17,500 for at least 35
12 negligent violations of 47 U.S.C. § 227(b), and not less than \$17,500 for at least 35 negligent
13 violations of 47 U.S.C. § 227(c).

14 567. Luu Le personally owns and uses the cellular phone number xxx-xxx-4559. This
15 number is a residential telephone subscription. In the four years preceding 4/22/2020 (the date
16 Le's original Complaint was filed), GoSmith sent Le at least 3 telemarketing text messages at
17 this number. GoSmith knowingly and willfully sent these text messages using an automatic
18 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
19 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
20 procedures that meet the minimum standards required for telemarketing in violation of 47
21 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Le seeks an amount not less than \$4,500 for at
22 least 3 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
23 \$4,500 for at least 3 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Le
24 seeks an amount not less than \$1,500 for at least 3 negligent violations of 47 U.S.C. § 227(b),
25 and not less than \$1,500 for at least 3 negligent violations of 47 U.S.C. § 227(c). Finally,
26 GoSmith sent Le at least 3 commercial text messages in violation of RCW §§ 19.190.060,
27 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of

1 RCW § 80.36.390, for which Le seeks an amount not less than \$1,500, attorney's fees,
2 injunctive relief, and treble damages.

3 568. Carlos Ledesma personally owns and uses the cellular phone number xxx-xxx-
4 1453. This number is a residential telephone subscription. In the four years preceding
5 4/28/2020 (the date Ledesma's original Complaint was filed), GoSmith sent Ledesma at least
6 511 telemarketing text messages at this number. GoSmith knowingly and willfully sent these
7 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
8 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
9 text messages without instituting procedures that meet the minimum standards required for
10 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Ledesma seeks an
11 amount not less than \$766,500 for at least 511 knowing and willful violations of 47 U.S.C. §
12 227(b), and an amount not less than \$766,500 for at least 511 knowing and willful violations of
13 47 U.S.C. § 227(c). Alternatively, Ledesma seeks an amount not less than \$255,500 for at least
14 511 negligent violations of 47 U.S.C. § 227(b), and not less than \$255,500 for at least 511
15 negligent violations of 47 U.S.C. § 227(c).

16 569. Watson Lee personally owns and uses the cellular phone number xxx-xxx-8448.
17 Lee uses this number for work. In the four years preceding 1/30/2020 (the date Lee's original
18 Complaint was filed), GoSmith sent Lee at least 420 telemarketing text messages at this
19 number, at least five times a week. The barrage of text messages caused Lee significant stress.
20 GoSmith knowingly and willfully sent these text messages using an automatic telephone
21 dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). Lee
22 seeks an amount not less than \$630,000 for at least 420 knowing and willful violations of 47
23 U.S.C. § 227(b). ,Alternatively, Lee seeks an amount not less than \$210,000 for at least 420
24 negligent violations of 47 U.S.C. § 227(b).

25 570. Samantha Lee personally owns and uses the cellular phone number xxx-xxx-
26 4252. This number is a residential telephone subscription and Lee's only telephone. This cell
27 phone is registered as a residential line with Lee's mobile carrier. Lee uses this phone to

1 communicate with friends and family. Lee pays for this phone with funds based out of her
2 personal account. On 9/7/2016, Lee registered this number on the National Do Not Call
3 Registry. In the four years preceding 1/30/2020 (the date Lee's original Complaint was filed),
4 GoSmith sent Lee at least 5 telemarketing text messages at this number, all within a couple of
5 months. GoSmith knowingly and willfully sent these text messages using an automatic
6 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
7 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
8 procedures that meet the minimum standards required for telemarketing in violation of 47
9 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
10 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Lee
11 within a 12-month period after Lee was registered on the National Do Not Call Registry,
12 including but not limited to the period between 6/3/2017 and 7/5/2017. Lee seeks an amount
13 not less than \$7,500 for at least 5 knowing and willful violations of 47 U.S.C. § 227(b), and an
14 amount not less than \$7,500 for at least 5 knowing and willful violations of 47 U.S.C. § 227(c).
15 Alternatively, Lee seeks an amount not less than \$2,500 for at least 5 negligent violations of 47
16 U.S.C. § 227(b), and not less than \$2,500 for at least 5 negligent violations of 47 U.S.C. §
17 227(c).

18 571. Nick Lee personally owns and uses the cellular phone number xxx-xxx-2271.
19 This number is a residential telephone subscription. On 4/6/2013, Lee registered this number
20 on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date Lee's
21 original Complaint was filed), GoSmith sent Lee at least 5 telemarketing text messages at this
22 number. GoSmith knowingly and willfully sent these text messages using an automatic
23 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
24 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
25 procedures that meet the minimum standards required for telemarketing in violation of 47
26 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
27 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Lee

1 within a 12-month period after Lee was registered on the National Do Not Call Registry,
2 including but not limited to the period between 6/9/2017 and 6/9/2018. Lee seeks an amount
3 not less than \$7,500 for at least 5 knowing and willful violations of 47 U.S.C. § 227(b), and an
4 amount not less than \$7,500 for at least 5 knowing and willful violations of 47 U.S.C. § 227(c).
5 Alternatively, Lee seeks an amount not less than \$2,500 for at least 5 negligent violations of 47
6 U.S.C. § 227(b), and not less than \$2,500 for at least 5 negligent violations of 47 U.S.C. §
7 227(c).

8 572. Justin Lee personally owns and uses the cellular phone number xxx-xxx-2018.
9 This number is a residential telephone subscription and Lee's only telephone. Lee uses this cell
10 phone to communicate with friends and family and keeps this cell phone on him at all times.
11 Lee pays for this cell phone with funds from his personal bank account. Lee charges this phone
12 by his bedside at night. On 4/30/2006, Lee registered this number on the National Do Not Call
13 Registry. In the four years preceding 1/30/2020 (the date Lee's original Complaint was filed),
14 GoSmith sent Lee at least 20 telemarketing text messages at this number, with at least 1-2
15 arriving each week for several weeks. Lee estimates that 20 is a very conservative number.
16 GoSmith knowingly and willfully sent these text messages using an automatic telephone
17 dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7).
18 GoSmith knowingly and willfully sent these text messages without instituting procedures that
19 meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and
20 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c),
21 GoSmith knowingly and willfully sent at least 2 text messages to Lee within a 12-month period
22 after Lee was registered on the National Do Not Call Registry, including but not limited to the
23 period between 11/4/2017 and 11/4/2018. Lee seeks an amount not less than \$30,000 for at
24 least 20 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
25 \$30,000 for at least 20 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Lee
26 seeks an amount not less than \$10,000 for at least 20 negligent violations of 47 U.S.C. §
27 227(b), and not less than \$10,000 for at least 20 negligent violations of 47 U.S.C. § 227(c).

1 573. Jeffrey Lee personally owns and uses the cellular phone number xxx-xxx-4389.
2 This number is a residential telephone subscription. In the four years preceding 4/22/2020 (the
3 date Lee's original Complaint was filed), GoSmith sent Lee at least 14 telemarketing text
4 messages at this number. GoSmith knowingly and willfully sent these text messages using an
5 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
6 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
7 procedures that meet the minimum standards required for telemarketing in violation of 47
8 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Lee seeks an amount not less than \$21,000 for at
9 least 14 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
10 \$21,000 for at least 14 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Lee
11 seeks an amount not less than \$7,000 for at least 14 negligent violations of 47 U.S.C. § 227(b),
12 and not less than \$7,000 for at least 14 negligent violations of 47 U.S.C. § 227(c).

13 574. Andre Lee personally owns and uses the cellular phone number xxx-xxx-2325.
14 This number is a residential telephone subscription. On 5/9/2005, Lee registered this number
15 on the National Do Not Call Registry. In the four years preceding 4/22/2020 (the date Lee's
16 original Complaint was filed), GoSmith sent Lee at least 38 telemarketing text messages at this
17 number. GoSmith knowingly and willfully sent these text messages using an automatic
18 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
19 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
20 procedures that meet the minimum standards required for telemarketing in violation of 47
21 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
22 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Lee
23 within a 12-month period after Lee was registered on the National Do Not Call Registry,
24 including but not limited to the period between 2/1/2017 and 7/27/2017. Lee seeks an amount
25 not less than \$57,000 for at least 38 knowing and willful violations of 47 U.S.C. § 227(b), and
26 an amount not less than \$57,000 for at least 38 knowing and willful violations of 47 U.S.C. §
27 227(c). Alternatively, Lee seeks an amount not less than \$19,000 for at least 38 negligent

1 violations of 47 U.S.C. § 227(b), and not less than \$19,000 for at least 38 negligent violations
2 of 47 U.S.C. § 227(c). Finally, GoSmith sent Lee at least 38 commercial text messages in
3 violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of
4 telephone solicitations in violation of RCW § 80.36.390, for which Lee seeks an amount not
5 less than \$19,000, attorney's fees, injunctive relief, and treble damages.

6 575. Matt LeFevre personally owns and uses the cellular phone number xxx-xxx-1299.
7 This number is a residential telephone subscription and LeFevre's only telephone. LeFevre uses
8 this cell phone to communicate with family and friends and keeps this cell phone on him at all
9 times. LeFevre charges this cell phone by his bedside at night. On 4/16/2014, LeFevre
10 registered this number on the National Do Not Call Registry. In the four years preceding
11 4/22/2020 (the date LeFevre's original Complaint was filed), GoSmith sent LeFevre at least
12 164 telemarketing text messages at this number. GoSmith knowingly and willfully sent these
13 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
14 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
15 text messages without instituting procedures that meet the minimum standards required for
16 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
17 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
18 least 2 text messages to LeFevre within a 12-month period after LeFevre was registered on the
19 National Do Not Call Registry, including but not limited to the period between 4/22/2016 and
20 4/22/2017. LeFevre seeks an amount not less than \$246,000 for at least 164 knowing and
21 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$246,000 for at least 164
22 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, LeFevre seeks an amount
23 not less than \$82,000 for at least 164 negligent violations of 47 U.S.C. § 227(b), and not less
24 than \$82,000 for at least 164 negligent violations of 47 U.S.C. § 227(c).

25 576. James Lehman personally owns and uses the cellular phone number xxx-xxx-
26 9250. This number is a residential telephone subscription. In the four years preceding
27 4/27/2020 (the date Lehman's original Complaint was filed), GoSmith sent Lehman at least 541

1 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
2 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
3 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
4 text messages without instituting procedures that meet the minimum standards required for
5 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Lehman seeks an
6 amount not less than \$811,500 for at least 541 knowing and willful violations of 47 U.S.C. §
7 227(b), and an amount not less than \$811,500 for at least 541 knowing and willful violations of
8 47 U.S.C. § 227(c). Alternatively, Lehman seeks an amount not less than \$270,500 for at least
9 541 negligent violations of 47 U.S.C. § 227(b), and not less than \$270,500 for at least 541
10 negligent violations of 47 U.S.C. § 227(c).

11 577. Scott Leishman personally owns and uses the cellular phone number xxx-xxx-
12 7593. This number is a residential telephone subscription. On 6/14/2005, Leishman registered
13 this number on the National Do Not Call Registry. In the four years preceding 4/22/2020 (the
14 date Leishman's original Complaint was filed), GoSmith sent Leishman at least 49
15 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
16 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
17 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
18 text messages without instituting procedures that meet the minimum standards required for
19 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
20 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
21 least 2 text messages to Leishman within a 12-month period after Leishman was registered on
22 the National Do Not Call Registry, including but not limited to the period between 5/20/2016
23 and 5/20/2017. Leishman seeks an amount not less than \$73,500 for at least 49 knowing and
24 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$73,500 for at least 49
25 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Leishman seeks an
26 amount not less than \$24,500 for at least 49 negligent violations of 47 U.S.C. § 227(b), and not
27 less than \$24,500 for at least 49 negligent violations of 47 U.S.C. § 227(c).

578. Eric Leverenz personally owns and uses the cellular phone number xxx-xxx-3820. This number is a residential telephone subscription and Leverenz's only telephone. Leverenz uses this cell phone to communicate with family and friends and keeps this cell phone on him at all times. Leverenz charges this phone by his bedside at night. On 2/27/2009, Leverenz registered this number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date Leverenz's original Complaint was filed), GoSmith sent Leverenz at least 725 telemarketing text messages at this number. Some weeks, Leverenz received 5 telemarketing messages per week from Defendants. Other weeks, it was as many as 15 telemarketing messages per week. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Leverenz within a 12-month period after Leverenz was registered on the National Do Not Call Registry, including but not limited to the period between 4/25/2017 and 4/25/2018. Leverenz seeks an amount not less than \$1,087,500 for at least 725 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$1,087,500 for at least 725 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Leverenz seeks an amount not less than \$362,500 for at least 725 negligent violations of 47 U.S.C. § 227(b), and not less than \$362,500 for at least 725 negligent violations of 47 U.S.C. § 227(c).

579. Yosi Levi personally owns and uses the cellular phone number xxx-xxx-2636. This number is a residential telephone subscription. On 11/18/2006, Levi registered this number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date Levi's original Complaint was filed), GoSmith sent Levi at least 24 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.

§ 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Levi within a 12-month period after Levi was registered on the National Do Not Call Registry, including but not limited to the period between 5/26/2017 and 5/26/2018. Levi seeks an amount not less than \$36,000 for at least 24 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$36,000 for at least 24 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Levi seeks an amount not less than \$12,000 for at least 24 negligent violations of 47 U.S.C. § 227(b), and not less than \$12,000 for at least 24 negligent violations of 47 U.S.C. § 227(c).

580. Gregory Lewandowski personally owns and uses the cellular phone number xxx-xxx-8944. This number is a residential telephone subscription. On 2/15/2005, Lewandowski registered this number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date Lewandowski's original Complaint was filed), GoSmith sent Lewandowski at least 2 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Lewandowski within a 12-month period after Lewandowski was registered on the National Do Not Call Registry, including but not limited to the period between 1/30/2016 and 1/29/2017. Lewandowski seeks an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Lewandowski seeks an amount not less than \$1,000 for at least 2 negligent violations of 47

1 U.S.C. § 227(b), and not less than \$1,000 for at least 2 negligent violations of 47 U.S.C. §
2 227(c).

3 581. Joseph Lewis personally owns and uses the cellular phone number xxx-xxx-7307.
4 This number is a residential telephone subscription. In the four years preceding 4/21/2020 (the
5 date Lewis's original Complaint was filed), GoSmith sent Lewis at least 883 telemarketing text
6 messages at this number. GoSmith knowingly and willfully sent these text messages using an
7 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
8 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
9 procedures that meet the minimum standards required for telemarketing in violation of 47
10 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Lewis seeks an amount not less than \$1,324,500
11 for at least 883 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less
12 than \$1,324,500 for at least 883 knowing and willful violations of 47 U.S.C. § 227(c).

13 Alternatively, Lewis seeks an amount not less than \$441,500 for at least 883 negligent
14 violations of 47 U.S.C. § 227(b), and not less than \$441,500 for at least 883 negligent
15 violations of 47 U.S.C. § 227(c).

16 582. Tom Lewis personally owns and uses the cellular phone number xxx-xxx-5535.
17 This number is a residential telephone subscription that Lewis uses for work and personal
18 communication. In the four years preceding 1/30/2020 (the date Lewis's original Complaint
19 was filed), GoSmith sent Lewis at least 43 telemarketing text messages at this number.
20 GoSmith knowingly and willfully sent these text messages using an automatic telephone
21 dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7).
22 GoSmith knowingly and willfully sent these text messages without instituting procedures that
23 meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and
24 47 C.F.R. § 64.1200(d). Lewis seeks an amount not less than \$64,500 for at least 43 knowing
25 and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$64,500 for at least
26 43 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Lewis seeks an amount
27

1 not less than \$21,500 for at least 43 negligent violations of 47 U.S.C. § 227(b), and not less
2 than \$21,500 for at least 43 negligent violations of 47 U.S.C. § 227(c).

3 583. Max Lewis personally owns and uses the cellular phone number xxx-xxx-7755.
4 This number is a residential telephone subscription and Lewis's only telephone. Lewis uses this
5 cell phone to communicate with friends and family and keeps this cell phone on him at all
6 times. Lewis pays for this cell phone with funds from a personal account. In the four years
7 preceding 4/28/2020 (the date Lewis's original Complaint was filed), GoSmith sent Lewis at
8 least 64 telemarketing text messages at this number. GoSmith knowingly and willfully sent
9 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
10 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
11 text messages without instituting procedures that meet the minimum standards required for
12 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Lewis seeks an
13 amount not less than \$96,000 for at least 64 knowing and willful violations of 47 U.S.C. §
14 227(b), and an amount not less than \$96,000 for at least 64 knowing and willful violations of
15 47 U.S.C. § 227(c). Alternatively, Lewis seeks an amount not less than \$32,000 for at least 64
16 negligent violations of 47 U.S.C. § 227(b), and not less than \$32,000 for at least 64 negligent
17 violations of 47 U.S.C. § 227(c).

18 584. Kris Lichtenberg personally owns and uses the cellular phone number xxx-xxx-
19 9598. This number is a residential telephone subscription. In the four years preceding
20 4/30/2020 (the date Lichtenberg's original Complaint was filed), GoSmith sent Lichtenberg at
21 least 22 telemarketing text messages at this number. GoSmith knowingly and willfully sent
22 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
23 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
24 text messages without instituting procedures that meet the minimum standards required for
25 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Lichtenberg seeks
26 an amount not less than \$33,000 for at least 22 knowing and willful violations of 47 U.S.C. §
27 227(b), and an amount not less than \$33,000 for at least 22 knowing and willful violations of

1 47 U.S.C. § 227(c). Alternatively, Lichtenberg seeks an amount not less than \$11,000 for at
2 least 22 negligent violations of 47 U.S.C. § 227(b), and not less than \$11,000 for at least 22
3 negligent violations of 47 U.S.C. § 227(c).

4 585. Brandon Light personally owns and uses the cellular phone number xxx-xxx-
5 0739. This number is a residential telephone subscription and Light's only cell phone. Light
6 uses a different telephone number for his work. Light uses this cell phone to communicate with
7 friends and family and keeps this cell phone on him at all times. Light pays for this cell phone
8 with funds from his personal bank account. Light charges this cell phone by his bedside at
9 night. In the four years preceding 1/30/2020 (the date Light's original Complaint was filed),
10 GoSmith sent Light at least 123 telemarketing text messages at this number. GoSmith
11 knowingly and willfully sent these text messages using an automatic telephone dialing system
12 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith
13 knowingly and willfully sent these text messages without instituting procedures that meet the
14 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
15 § 64.1200(d). Light seeks an amount not less than \$184,500 for at least 123 knowing and
16 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$184,500 for at least 123
17 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Light seeks an amount not
18 less than \$61,500 for at least 123 negligent violations of 47 U.S.C. § 227(b), and not less than
19 \$61,500 for at least 123 negligent violations of 47 U.S.C. § 227(c).

20 586. James Lillis personally owns and uses the cellular phone number xxx-xxx-4608.
21 This number is a residential telephone subscription that Lillis uses for work and personal calls.
22 In the four years preceding 1/30/2020 (the date Lillis's original Complaint was filed), GoSmith
23 sent Lillis at least 3 telemarketing text messages at this number. GoSmith knowingly and
24 willfully sent these text messages using an automatic telephone dialing system in violation of
25 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully
26 sent these text messages without instituting procedures that meet the minimum standards
27 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Lillis

1 seeks an amount not less than \$4,500 for at least 3 knowing and willful violations of 47 U.S.C.
2 § 227(b), and an amount not less than \$4,500 for at least 3 knowing and willful violations of 47
3 U.S.C. § 227(c). Alternatively, Lillis seeks an amount not less than \$1,500 for at least 3
4 negligent violations of 47 U.S.C. § 227(b), and not less than \$1,500 for at least 3 negligent
5 violations of 47 U.S.C. § 227(c).

6 587. Adam Lindley personally owns and uses the cellular phone number xxx-xxx-
7 0299. This number is a residential telephone subscription that Lindley uses for both work and
8 personal calls. This cell phone is registered on a family plan with Lindley's mobile carrier. In
9 the four years preceding 1/30/2020 (the date Lindley's original Complaint was filed), GoSmith
10 sent Lindley at least 3 telemarketing text messages at this number. GoSmith knowingly and
11 willfully sent these text messages using an automatic telephone dialing system in violation of
12 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully
13 sent these text messages without instituting procedures that meet the minimum standards
14 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d).
15 Lindley seeks an amount not less than \$4,500 for at least 3 knowing and willful violations of
16 47 U.S.C. § 227(b), and an amount not less than \$4,500 for at least 3 knowing and willful
17 violations of 47 U.S.C. § 227(c). Alternatively, Lindley seeks an amount not less than \$1,500
18 for at least 3 negligent violations of 47 U.S.C. § 227(b), and not less than \$1,500 for at least 3
19 negligent violations of 47 U.S.C. § 227(c).

20 588. Victor Livoti personally owns and uses the cellular phone number xxx-xxx-9177.
21 This number is a residential telephone subscription. On 1/1/2011, Livoti registered this number
22 on the National Do Not Call Registry. In the four years preceding 4/29/2020 (the date Livoti's
23 original Complaint was filed), GoSmith sent Livoti at least 35 telemarketing text messages at
24 this number. GoSmith knowingly and willfully sent these text messages using an automatic
25 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
26 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
27 procedures that meet the minimum standards required for telemarketing in violation of 47

1 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
2 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Livoti
3 within a 12-month period after Livoti was registered on the National Do Not Call Registry,
4 including but not limited to the period between 9/24/2016 and 9/24/2017. Livoti seeks an
5 amount not less than \$52,500 for at least 35 knowing and willful violations of 47 U.S.C. §
6 227(b), and an amount not less than \$52,500 for at least 35 knowing and willful violations of
7 47 U.S.C. § 227(c). Alternatively, Livoti seeks an amount not less than \$17,500 for at least 35
8 negligent violations of 47 U.S.C. § 227(b), and not less than \$17,500 for at least 35 negligent
9 violations of 47 U.S.C. § 227(c).

10 589. Kelan Loch personally owns and uses the cellular phone number xxx-xxx-5840.
11 This number is a residential telephone subscription and is Loch's only telephone. Loch uses
12 this number to communicate with family and friends and keeps this cell phone on him at all
13 times. Loch charges his cell phone by his bedside at night. On 1/13/2006, Loch registered this
14 number on the National Do Not Call Registry. In the four years preceding 4/22/2020 (the date
15 Loch's original Complaint was filed), GoSmith sent Loch at least 57 telemarketing text
16 messages at this number. GoSmith knowingly and willfully sent these text messages using an
17 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
18 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
19 procedures that meet the minimum standards required for telemarketing in violation of 47
20 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
21 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Loch
22 within a 12-month period after Loch was registered on the National Do Not Call Registry,
23 including but not limited to the period between 8/21/2017 and 8/21/2018. Loch seeks an
24 amount not less than \$85,500 for at least 57 knowing and willful violations of 47 U.S.C. §
25 227(b), and an amount not less than \$85,500 for at least 57 knowing and willful violations of
26 47 U.S.C. § 227(c). Alternatively, Loch seeks an amount not less than \$28,500 for at least 57
27

1 negligent violations of 47 U.S.C. § 227(b), and not less than \$28,500 for at least 57 negligent
2 violations of 47 U.S.C. § 227(c).

3 590. Jazmin Locke personally owns and uses the cellular phone number xxx-xxx-6372.
4 This number is a residential telephone subscription. In the four years preceding 1/30/2020 (the
5 date Locke's original Complaint was filed), GoSmith sent Locke at least 5 telemarketing text
6 messages at this number. GoSmith knowingly and willfully sent these text messages using an
7 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
8 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
9 procedures that meet the minimum standards required for telemarketing in violation of 47
10 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Locke seeks an amount not less than \$7,500 for at
11 least 5 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
12 \$7,500 for at least 5 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Locke
13 seeks an amount not less than \$2,500 for at least 5 negligent violations of 47 U.S.C. § 227(b),
14 and not less than \$2,500 for at least 5 negligent violations of 47 U.S.C. § 227(c).

15 591. Steve Locke personally owns and uses the cellular phone number xxx-xxx-0350.
16 This number is a residential telephone subscription and Locke's only telephone. Locke uses this
17 number to communicate with friends and family. This cell phone is registered on a family plan
18 with Locke's mobile carrier. Locke charges this phone at home near his bedside at night. In the
19 four years preceding 4/28/2020 (the date Locke's original Complaint was filed), GoSmith sent
20 Locke at least 9 telemarketing text messages at this number. GoSmith also texted other
21 members on Locke's family plan, including his children. GoSmith knowingly and willfully sent
22 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
23 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
24 text messages without instituting procedures that meet the minimum standards required for
25 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Locke seeks an
26 amount not less than \$13,500 for at least 9 knowing and willful violations of 47 U.S.C. §
27 227(b), and an amount not less than \$13,500 for at least 9 knowing and willful violations of 47

1 U.S.C. § 227(c). Alternatively, Locke seeks an amount not less than \$4,500 for at least 9
2 negligent violations of 47 U.S.C. § 227(b), and not less than \$4,500 for at least 9 negligent
3 violations of 47 U.S.C. § 227(c).

4 592. Peter Loda personally owns and uses the cellular phone number xxx-xxx-2113.
5 This number is a residential telephone subscription and Loda's only cell phone. Loda uses this
6 cell phone to communicate with friends and family and keeps this cell phone on him at all
7 times. Loda charges this cell phone in his home by his bedside at night. In the four years
8 preceding 4/28/2020 (the date Loda's original Complaint was filed), GoSmith sent Loda at least
9 3 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
10 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
11 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
12 text messages without instituting procedures that meet the minimum standards required for
13 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Loda seeks an
14 amount not less than \$4,500 for at least 3 knowing and willful violations of 47 U.S.C. § 227(b),
15 and an amount not less than \$4,500 for at least 3 knowing and willful violations of 47 U.S.C. §
16 227(c). Alternatively, Loda seeks an amount not less than \$1,500 for at least 3 negligent
17 violations of 47 U.S.C. § 227(b), and not less than \$1,500 for at least 3 negligent violations of
18 47 U.S.C. § 227(c).

19 593. James Logan personally owns and uses the cellular phone number xxx-xxx-9810.
20 This number is a residential telephone subscription. On 9/24/2005, Logan registered this
21 number on the National Do Not Call Registry. In the four years preceding 4/22/2020 (the date
22 Logan's original Complaint was filed), GoSmith sent Logan at least 357 telemarketing text
23 messages at this number. GoSmith knowingly and willfully sent these text messages using an
24 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
25 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
26 procedures that meet the minimum standards required for telemarketing in violation of 47
27 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47

1 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Logan
2 within a 12-month period after Logan was registered on the National Do Not Call Registry,
3 including but not limited to the period between 3/29/2017 and 3/29/2018. Logan seeks an
4 amount not less than \$535,500 for at least 357 knowing and willful violations of 47 U.S.C. §
5 227(b), and an amount not less than \$535,500 for at least 357 knowing and willful violations of
6 47 U.S.C. § 227(c). Alternatively, Logan seeks an amount not less than \$178,500 for at least
7 357 negligent violations of 47 U.S.C. § 227(b), and not less than \$178,500 for at least 357
8 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Logan at least 357
9 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an
10 undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which
11 Logan seeks an amount not less than \$178,500, attorney's fees, injunctive relief, and treble
12 damages.

13 594. Jodie Loman personally owns and uses the cellular phone number xxx-xxx-9197.
14 This number is a residential telephone subscription and Loman's only telephone. Loman uses
15 this cell phone to communicate with friends and family and carries this cell phone on him at all
16 times. In the four years preceding 4/28/2020 (the date Loman's original Complaint was filed),
17 GoSmith sent Loman at least 20 telemarketing text messages at this number. GoSmith
18 knowingly and willfully sent these text messages using an automatic telephone dialing system
19 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith
20 knowingly and willfully sent these text messages without instituting procedures that meet the
21 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
22 § 64.1200(d). Loman seeks an amount not less than \$30,000 for at least 20 knowing and willful
23 violations of 47 U.S.C. § 227(b), and an amount not less than \$30,000 for at least 20 knowing
24 and willful violations of 47 U.S.C. § 227(c). Alternatively, Loman seeks an amount not less
25 than \$10,000 for at least 20 negligent violations of 47 U.S.C. § 227(b), and not less than
26 \$10,000 for at least 20 negligent violations of 47 U.S.C. § 227(c).

595. Paul Longo personally owns and uses the cellular phone number xxx-xxx-0148. This number is a residential telephone subscription and Longo's only cell phone. Longo uses this cell phone to communicate with family and friends and keeps this cell phone on him at all times. Longo charges this cell phone near his bedside at night. On 2/6/2007, Longo registered this number on the National Do Not Call Registry. In the four years preceding 4/29/2020 (the date Longo's original Complaint was filed), GoSmith sent Longo at least 75 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Longo within a 12-month period after Longo was registered on the National Do Not Call Registry, including but not limited to the period between 12/4/2016 and 12/4/2017. Longo seeks an amount not less than \$112,500 for at least 75 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$112,500 for at least 75 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Longo seeks an amount not less than \$37,500 for at least 75 negligent violations of 47 U.S.C. § 227(b), and not less than \$37,500 for at least 75 negligent violations of 47 U.S.C. § 227(c).

596. Juan Lopez personally owns and uses the cellular phone number xxx-xxx-4426. This number is a residential telephone subscription and Lopez's only cell phone. Lopez uses this phone to communicate with family and friends. Lopez pays for this cell phone out of his own personal account and it is registered on a family plan with his wife (who also received hundreds of text messages from GoSmith on her personal cell phone). Lopez charges this cell phone by his bedside at night. In the four years preceding 1/30/2020 (the date Lopez's original Complaint was filed), GoSmith sent Lopez at least 439 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic

1 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
2 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
3 procedures that meet the minimum standards required for telemarketing in violation of 47
4 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Lopez seeks an amount not less than \$658,500 for
5 at least 439 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
6 \$658,500 for at least 439 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
7 Lopez seeks an amount not less than \$219,500 for at least 439 negligent violations of 47
8 U.S.C. § 227(b), and not less than \$219,500 for at least 439 negligent violations of 47 U.S.C. §
9 227(c).

10 597. Darren Loux personally owns and uses the cellular phone number xxx-xxx-2387.
11 This number is a residential telephone subscription. In the four years preceding 4/29/2020 (the
12 date Loux's original Complaint was filed), GoSmith sent Loux at least 257 telemarketing text
13 messages at this number. GoSmith knowingly and willfully sent these text messages using an
14 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
15 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
16 procedures that meet the minimum standards required for telemarketing in violation of 47
17 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Loux seeks an amount not less than \$385,500 for
18 at least 257 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
19 \$385,500 for at least 257 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
20 Loux seeks an amount not less than \$128,500 for at least 257 negligent violations of 47 U.S.C.
21 § 227(b), and not less than \$128,500 for at least 257 negligent violations of 47 U.S.C. § 227(c).

22 598. Douglas Love personally owns and uses the cellular phone number xxx-xxx-0903.
23 This number is a residential telephone subscription. In the four years preceding 4/22/2020 (the
24 date Love's original Complaint was filed), GoSmith sent Love at least 12 telemarketing text
25 messages at this number. GoSmith knowingly and willfully sent these text messages using an
26 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
27 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting

1 procedures that meet the minimum standards required for telemarketing in violation of 47
2 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Love seeks an amount not less than \$18,000 for at
3 least 12 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
4 \$18,000 for at least 12 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
5 Love seeks an amount not less than \$6,000 for at least 12 negligent violations of 47 U.S.C. §
6 227(b), and not less than \$6,000 for at least 12 negligent violations of 47 U.S.C. § 227(c).
7 Finally, GoSmith sent Love at least 12 commercial text messages in violation of RCW §§
8 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in
9 violation of RCW § 80.36.390, for which Love seeks an amount not less than \$6,000,
10 attorney's fees, injunctive relief, and treble damages.

11 599. Richard Lowes personally owns and uses the cellular phone number xxx-xxx-
12 1608. This number is a residential telephone subscription. On 11/26/2016, Lowes registered
13 this number on the National Do Not Call Registry. In the four years preceding 4/28/2020 (the
14 date Lowes's original Complaint was filed), GoSmith sent Lowes at least 14 telemarketing text
15 messages at this number. GoSmith knowingly and willfully sent these text messages using an
16 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
17 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
18 procedures that meet the minimum standards required for telemarketing in violation of 47
19 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
20 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Lowes
21 within a 12-month period after Lowes was registered on the National Do Not Call Registry,
22 including but not limited to the period between 11/26/2016 and 11/26/2017. Lowes seeks an
23 amount not less than \$21,000 for at least 14 knowing and willful violations of 47 U.S.C. §
24 227(b), and an amount not less than \$21,000 for at least 14 knowing and willful violations of
25 47 U.S.C. § 227(c). Alternatively, Lowes seeks an amount not less than \$7,000 for at least 14
26 negligent violations of 47 U.S.C. § 227(b), and not less than \$7,000 for at least 14 negligent
27 violations of 47 U.S.C. § 227(c).

600. Ryan Loyd personally owns and uses the cellular phone number xxx-xxx-3315. This number is a residential telephone subscription. In the four years preceding 1/30/2020 (the date Loyd's original Complaint was filed), GoSmith sent Loyd at least 143 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Loyd seeks an amount not less than \$214,500 for at least 143 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$214,500 for at least 143 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Loyd seeks an amount not less than \$71,500 for at least 143 negligent violations of 47 U.S.C. § 227(b), and not less than \$71,500 for at least 143 negligent violations of 47 U.S.C. § 227(c).

601. Daniel Luckman personally owns and uses the cellular phone number xxx-xxx-3555. This number is a residential telephone subscription and is Luckman's personal cell phone and only phone number. He uses it for all his personal calls and also uses it at times for work calls related to his home-based business. He pays for it out of his personal bank account and does not have a business plan with his cellphone provider (it is an individual or family plan). In the four years preceding 1/30/2020 (the date Luckman's original Complaint was filed), GoSmith sent Luckman at least 60 telemarketing text messages at this number. There were weeks when GoSmith would text his personal number 3 times or more and this went on for quite a while. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Luckman seeks an amount not less than \$90,000 for at least 60 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$90,000 for at least 60 knowing and willful violations of 47 U.S.C. § 227(c).

1 Alternatively, Luckman seeks an amount not less than \$30,000 for at least 60 negligent
2 violations of 47 U.S.C. § 227(b), and not less than \$30,000 for at least 60 negligent violations
3 of 47 U.S.C. § 227(c).

4 602. Adam Ludwig personally owns and uses the cellular phone number xxx-xxx-
5 8973. This number is a residential telephone subscription and is Ludwig's only phone. He uses
6 it for all his personal calls and has started using it with his home-based business on occasion.
7 In the four years preceding 4/22/2020 (the date Ludwig's original Complaint was filed),
8 GoSmith sent Ludwig at least 104 telemarketing text messages at this number. The texts came
9 from at least 44 different numbers, each one of which was used to text Ludwig a handful of
10 times. GoSmith knowingly and willfully sent these text messages using an automatic telephone
11 dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7).
12 GoSmith knowingly and willfully sent these text messages without instituting procedures that
13 meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and
14 47 C.F.R. § 64.1200(d). Ludwig seeks an amount not less than \$156,000 for at least 104
15 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$156,000
16 for at least 104 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Ludwig
17 seeks an amount not less than \$52,000 for at least 104 negligent violations of 47 U.S.C. §
18 227(b), and not less than \$52,000 for at least 104 negligent violations of 47 U.S.C. § 227(c).

19 603. John Lundwall personally owns and uses the cellular phone number xxx-xxx-
20 0182. This number is a residential telephone subscription. On 7/10/2007, Lundwall registered
21 this number on the National Do Not Call Registry. In the four years preceding 4/22/2020 (the
22 date Lundwall's original Complaint was filed), GoSmith sent Lundwall at least 3 telemarketing
23 text messages at this number. GoSmith knowingly and willfully sent these text messages using
24 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
25 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
26 instituting procedures that meet the minimum standards required for telemarketing in violation
27 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and

47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Lundwall within a 12-month period after Lundwall was registered on the National Do Not Call Registry, including but not limited to the period between 8/11/2016 and 8/11/2017. Lundwall seeks an amount not less than \$4,500 for at least 3 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$4,500 for at least 3 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Lundwall seeks an amount not less than \$1,500 for at least 3 negligent violations of 47 U.S.C. § 227(b), and not less than \$1,500 for at least 3 negligent violations of 47 U.S.C. § 227(c).

604. Mike Lynch personally owns and uses the cellular phone number xxx-xxx-0073. This number is a residential telephone subscription and is Lynch's only phone. However, Lynch uses this phone for business. In the four years preceding 4/21/2020 (the date Lynch's original Complaint was filed), GoSmith sent Lynch at least 81 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Lynch seeks an amount not less than \$121,500 for at least 81 knowing and willful violations of 47 U.S.C. § 227(b). Alternatively, Lynch seeks an amount not less than \$40,500 for at least 81 negligent violations of 47 U.S.C. § 227(b).

605. Donavon J. Lyness personally owns and uses the cellular phone number xxx-xxx-2387. This number is a residential telephone subscription that is Lyness's personal cell phone and only phone number. In the four years preceding 4/22/2020 (the date Lyness's original Complaint was filed), GoSmith sent Lyness at least 24 telemarketing text messages at this number, sometimes as many as two per day GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for

1 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Lyness seeks an
 2 amount not less than \$36,000 for at least 24 knowing and willful violations of 47 U.S.C. §
 3 227(b), and an amount not less than \$36,000 for at least 24 knowing and willful violations of
 4 47 U.S.C. § 227(c). Alternatively, Lyness seeks an amount not less than \$12,000 for at least 24
 5 negligent violations of 47 U.S.C. § 227(b), and not less than \$12,000 for at least 24 negligent
 6 violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Lyness at least 24 commercial text
 7 messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined
 8 number of telephone solicitations in violation of RCW § 80.36.390, for which Lyness seeks an
 9 amount not less than \$12,000, attorney's fees, injunctive relief, and treble damages.

10 606. Tara Lynn Snow personally owns and uses the cellular phone number xxx-xxx-
 11 2475. This number is a residential telephone subscription and is Snow's personal cell phone
 12 and her only phone. She pays for it out of her personal bank account, carries it with her, and
 13 uses it for all her personal calls. She charges it on her nightstand every night. On 3/26/2009,
 14 Snow registered this number on the National Do Not Call Registry. In the four years preceding
 15 4/22/2020 (the date Snow's original Complaint was filed), GoSmith sent Snow at least 6
 16 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
 17 messages to Snow's personal cellphone using an automatic telephone dialing system in
 18 violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly
 19 and willfully sent these text messages without instituting procedures that meet the minimum
 20 standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. §
 21 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith
 22 knowingly and willfully sent at least 2 text messages to Lynn snow within a 12-month period
 23 after Snow was registered on the National Do Not Call Registry, including but not limited to
 24 the period between 9/15/2017 and 9/27/2017. Snow seeks an amount not less than \$9,000 for at
 25 least 6 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
 26 \$9,000 for at least 6 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Snow
 27

1 seeks an amount not less than \$3,000 for at least 6 negligent violations of 47 U.S.C. § 227(b),
2 and not less than \$3,000 for at least 6 negligent violations of 47 U.S.C. § 227(c).

3 607. Nichole Lynott personally owns and uses the cellular phone number xxx-xxx-
4 6619. This number is a residential telephone subscription. In the four years preceding
5 4/28/2020 (the date Lynott's original Complaint was filed), GoSmith sent Lynott at least 2
6 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
7 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
8 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
9 text messages without instituting procedures that meet the minimum standards required for
10 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Lynott seeks an
11 amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(b),
12 and an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. §
13 227(c). Alternatively, Lynott seeks an amount not less than \$1,000 for at least 2 negligent
14 violations of 47 U.S.C. § 227(b), and not less than \$1,000 for at least 2 negligent violations of
15 47 U.S.C. § 227(c).

16 608. Vlad Lysov personally owns and uses the cellular phone number xxx-xxx-7202.
17 This number is a residential telephone subscription and is Lysov's only phone and his personal
18 cell phone. He pays for it out of his personal bank account, carries it with him, and uses it for
19 all his personal calls. He charges it in his room at night. On 11/13/2019, Lysov registered this
20 number on the National Do Not Call Registry. In the four years preceding 4/22/2020 (the date
21 Lysov's original Complaint was filed), GoSmith sent Lysov at least 41 telemarketing text
22 messages at this number. GoSmith knowingly and willfully sent these text messages using an
23 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
24 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
25 procedures that meet the minimum standards required for telemarketing in violation of 47
26 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
27 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Lysov

1 within a 12-month period after Lysov was registered on the National Do Not Call Registry,
2 including but not limited to the period between 11/13/2019 and 1/30/2020. Lysov seeks an
3 amount not less than \$61,500 for at least 41 knowing and willful violations of 47 U.S.C. §
4 227(b), and an amount not less than \$61,500 for at least 41 knowing and willful violations of
5 47 U.S.C. § 227(c). Alternatively, Lysov seeks an amount not less than \$20,500 for at least 41
6 negligent violations of 47 U.S.C. § 227(b), and not less than \$20,500 for at least 41 negligent
7 violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Lysov at least 41 commercial text
8 messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined
9 number of telephone solicitations in violation of RCW § 80.36.390, for which Lysov seeks an
10 amount not less than \$20,500, attorney's fees, injunctive relief, and treble damages.

11 609. Edward (Eddie) Maciel personally owns and uses the cellular phone number xxx-
12 xxx-9865. This number is a residential telephone subscription. In the four years preceding
13 4/28/2020 (the date Maciel's original Complaint was filed), GoSmith sent Maciel at least 25
14 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
15 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
16 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
17 text messages without instituting procedures that meet the minimum standards required for
18 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Maciel seeks an
19 amount not less than \$37,500 for at least 25 knowing and willful violations of 47 U.S.C. §
20 227(b), and an amount not less than \$37,500 for at least 25 knowing and willful violations of
21 47 U.S.C. § 227(c). Alternatively, Maciel seeks an amount not less than \$12,500 for at least 25
22 negligent violations of 47 U.S.C. § 227(b), and not less than \$12,500 for at least 25 negligent
23 violations of 47 U.S.C. § 227(c).

24 610. Grani MacKay personally owns and uses the cellular phone number xxx-xxx-
25 2900. This number is a residential telephone subscription. In the four years preceding
26 4/22/2020 (the date MacKay's original Complaint was filed), GoSmith sent MacKay at least 48
27 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text

1 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
2 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
3 text messages without instituting procedures that meet the minimum standards required for
4 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). MacKay seeks an
5 amount not less than \$72,000 for at least 48 knowing and willful violations of 47 U.S.C. §
6 227(b), and an amount not less than \$72,000 for at least 48 knowing and willful violations of
7 47 U.S.C. § 227(c). Alternatively, MacKay seeks an amount not less than \$24,000 for at least
8 48 negligent violations of 47 U.S.C. § 227(b), and not less than \$24,000 for at least 48
9 negligent violations of 47 U.S.C. § 227(c).

10 611. John Macy personally owns and uses the cellular phone number xxx-xxx-9581.
11 This number is a residential telephone subscription but Macy uses this cell phone exclusively
12 for business. In the four years preceding 4/21/2020 (the date Macy's original Complaint was
13 filed), GoSmith sent Macy at least 200 telemarketing text messages at this number. GoSmith
14 knowingly and willfully sent these text messages using an automatic telephone dialing system
15 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). Macy seeks an
16 amount not less than \$300,000 for at least 200 knowing and willful violations of 47 U.S.C. §
17 227(b). Alternatively, Macy seeks an amount not less than \$100,000 for at least 200 negligent
18 violations of 47 U.S.C. § 227(b).

19 612. Rafael Maga personally owns and uses the cellular phone number xxx-xxx-1208.
20 This number is a residential telephone subscription and is Maga's only phone and his personal
21 cell phone. He pays for it out of his personal bank account, carries it with him, and uses it for
22 all his personal calls. He charges it in his room at night. In the four years preceding 4/22/2020
23 (the date Maga's original Complaint was filed), GoSmith sent Maga at least 43 telemarketing
24 text messages at this number. GoSmith knowingly and willfully sent these text messages using
25 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
26 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
27 instituting procedures that meet the minimum standards required for telemarketing in violation

of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Maga seeks an amount not less than \$64,500 for at least 43 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$64,500 for at least 43 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Maga seeks an amount not less than \$21,500 for at least 43 negligent violations of 47 U.S.C. § 227(b), and not less than \$21,500 for at least 43 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Maga at least 43 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which Maga seeks an amount not less than \$21,500, attorney's fees, injunctive relief, and treble damages.

613. Stevan Major personally owns and uses the cellular phone number xxx-xxx-5514. This number is a residential telephone subscription, and this number is Major's only phone and his personal cell phone. He pays for it out of his personal bank account, carries it with him, and uses it for all his personal calls. He charges it in his room at night. It is the phone that he uses to talk to his wife, kids, and other family members. On 6/17/2010, Major registered this number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date Major's original Complaint was filed), GoSmith sent Major at least 97 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Major within a 12-month period after Major was registered on the National Do Not Call Registry, including but not limited to the period between 1/30/2016 and 1/29/2017. Major seeks an amount not less than \$145,500 for at least 97 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$145,500 for at least 97 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Major seeks an amount not less than \$48,500 for at least 97

1 negligent violations of 47 U.S.C. § 227(b), and not less than \$48,500 for at least 97 negligent
2 violations of 47 U.S.C. § 227(c).

3 614. Mark Malkowski personally owns and uses the cellular phone number xxx-xxx-
4 4699. This number is a residential telephone subscription. In the four years preceding
5 1/30/2020 (the date Malkowski's original Complaint was filed), GoSmith sent Malkowski at
6 least 7 telemarketing text messages at this number. GoSmith knowingly and willfully sent
7 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
8 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
9 text messages without instituting procedures that meet the minimum standards required for
10 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Malkowski seeks
11 an amount not less than \$10,500 for at least 7 knowing and willful violations of 47 U.S.C. §
12 227(b), and an amount not less than \$10,500 for at least 7 knowing and willful violations of 47
13 U.S.C. § 227(c). Alternatively, Malkowski seeks an amount not less than \$3,500 for at least 7
14 negligent violations of 47 U.S.C. § 227(b), and not less than \$3,500 for at least 7 negligent
15 violations of 47 U.S.C. § 227(c).

16 615. David Mallon personally owns and uses the cellular phone number xxx-xxx-8310.
17 This number is a residential telephone subscription, but Mallon uses this cell phone for
18 business purposes only. In the four years preceding 1/30/2020 (the date Mallon's original
19 Complaint was filed), GoSmith sent Mallon at least 2, sometimes 3, telemarketing text
20 messages a week for several months at this number. GoSmith knowingly and willfully sent
21 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
22 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
23 text messages without instituting procedures that meet the minimum standards required for
24 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Mallon seeks an
25 amount not less than \$49,500 for at least 33 knowing and willful violations of 47 U.S.C. §
26 227(b). Alternatively, Mallon seeks an amount not less than \$16,500 for at least 33 negligent
27 violations of 47 U.S.C. § 227(b).

1 616. Fernando Mancilla personally owns and uses the cellular phone number xxx-xxx-
2 4278. This number is a residential telephone subscription. On 12/10/2004, Mancilla registered
3 this number on the National Do Not Call Registry. In the four years preceding 4/21/2020 (the
4 date Mancilla's original Complaint was filed), GoSmith sent Mancilla at least 4 telemarketing
5 text messages at this number. GoSmith knowingly and willfully sent these text messages using
6 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
7 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
8 instituting procedures that meet the minimum standards required for telemarketing in violation
9 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and
10 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to
11 Mancilla within a 12-month period after Mancilla was registered on the National Do Not Call
12 Registry, including but not limited to the period between 3/9/2017 and 3/9/2018. Mancilla
13 seeks an amount not less than \$6,000 for at least 4 knowing and willful violations of 47 U.S.C.
14 § 227(b), and an amount not less than \$6,000 for at least 4 knowing and willful violations of 47
15 U.S.C. § 227(c). Alternatively, Mancilla seeks an amount not less than \$2,000 for at least 4
16 negligent violations of 47 U.S.C. § 227(b), and not less than \$2,000 for at least 4 negligent
17 violations of 47 U.S.C. § 227(c).

18 617. James Mandichak personally owns and uses the cellular phone number xxx-xxx-
19 3157. This number is a residential telephone subscription. On 9/11/2018, Mandichak registered
20 this number on the National Do Not Call Registry. In the four years preceding 4/27/2020 (the
21 date Mandichak's original Complaint was filed), GoSmith sent Mandichak at least 69
22 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
23 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
24 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
25 text messages without instituting procedures that meet the minimum standards required for
26 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
27 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at

1 least 2 text messages to Mandichak within a 12-month period after Mandichak was registered
2 on the National Do Not Call Registry, including but not limited to the period between
3 9/11/2018 and 9/11/2019. Mandichak seeks an amount not less than \$103,500 for at least 69
4 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$103,500
5 for at least 69 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Mandichak
6 seeks an amount not less than \$34,500 for at least 69 negligent violations of 47 U.S.C. §
7 227(b), and not less than \$34,500 for at least 69 negligent violations of 47 U.S.C. § 227(c).

8 618. Les Mann personally owns and uses the cellular phone number xxx-xxx-5112.
9 This number is a residential telephone subscription and is Mann's only phone number. It is his
10 personal cell phone. He pays for it out of his personal bank account and uses it for all his
11 personal calls. It is on a personal or family plan with his cellular service provider. On
12 10/10/2003, Mann registered this number on the National Do Not Call Registry. In the four
13 years preceding 1/30/2020 (the date Mann's original Complaint was filed), GoSmith sent Mann
14 at least 2 telemarketing text messages at this number. GoSmith knowingly and willfully sent
15 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
16 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
17 text messages without instituting procedures that meet the minimum standards required for
18 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
19 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
20 least 2 text messages to Mann within a 12-month period after Mann was registered on the
21 National Do Not Call Registry, including but not limited to the period between 5/27/2017 and
22 5/27/2018. Mann seeks an amount not less than \$3,000 for at least 2 knowing and willful
23 violations of 47 U.S.C. § 227(b), and an amount not less than \$3,000 for at least 2 knowing and
24 willful violations of 47 U.S.C. § 227(c). Alternatively, Mann seeks an amount not less than
25 \$1,000 for at least 2 negligent violations of 47 U.S.C. § 227(b), and not less than \$1,000 for at
26 least 2 negligent violations of 47 U.S.C. § 227(c).

1 619. Josh Manwaring personally owns and uses the cellular phone number xxx-xxx-
2 4378. This number is a residential telephone subscription. It is his personal cell phone. He pays
3 for it out of his personal bank account and uses it for all his personal calls. It is on a personal or
4 family plan with his cellular service provider. On 10/12/2010, Manwaring registered this
5 number on the National Do Not Call Registry. In the four years preceding 4/22/2020 (the date
6 Manwaring's original Complaint was filed), GoSmith sent Manwaring at least 176
7 telemarketing text messages to Manwaring's personal cell phone at this number. Manwaring
8 complained to his wife and associates about the number of texts GoSmith sent over the years
9 and the annoyance. Manwaring texted back and asked to be removed from their list, but the
10 texts from GoSmith kept coming. GoSmith knowingly and willfully sent these text messages
11 using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and
12 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
13 instituting procedures that meet the minimum standards required for telemarketing in violation
14 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and
15 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to
16 Manwaring within a 12-month period after Manwaring was registered on the National Do Not
17 Call Registry, including but not limited to the period between 4/22/2016 and 4/22/2017.
18 Manwaring seeks an amount not less than \$264,000 for at least 176 knowing and willful
19 violations of 47 U.S.C. § 227(b), and an amount not less than \$264,000 for at least 176
20 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Manwaring seeks an
21 amount not less than \$88,000 for at least 176 negligent violations of 47 U.S.C. § 227(b), and
22 not less than \$88,000 for at least 176 negligent violations of 47 U.S.C. § 227(c).

23 620. Nathan Marchese personally owns and uses the cellular phone number xxx-xxx-
24 8539. This number is a residential telephone subscription. In the four years preceding
25 4/28/2020 (the date Marchese's original Complaint was filed), GoSmith sent Marchese at least
26 4 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
27 messages using an automatic telephone dialing system in violation of 47 U.S.C. §

1 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
2 text messages without instituting procedures that meet the minimum standards required for
3 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Marchese seeks
4 an amount not less than \$6,000 for at least 4 knowing and willful violations of 47 U.S.C. §
5 227(b), and an amount not less than \$6,000 for at least 4 knowing and willful violations of 47
6 U.S.C. § 227(c). Alternatively, Marchese seeks an amount not less than \$2,000 for at least 4
7 negligent violations of 47 U.S.C. § 227(b), and not less than \$2,000 for at least 4 negligent
8 violations of 47 U.S.C. § 227(c).

9 621. Chanse Mariotti personally owns and uses the cellular phone number xxx-xxx-
10 3033. This number is a residential telephone subscription and is Mariotti's personal cell phone,
11 which he uses at times in his home-based business. Mariotti has a slightly different story:
12 GoSmith obtained his number when someone fraudulently posted a negative review about
13 Mariotti's service on GoSmith's site. Mariotti was able to prove that the review was a fake and
14 threatened to sue GoSmith if they didn't remove the review, due to the damage it was causing
15 his reputation and business. GoSmith eventually removed the review, but they began texting
16 Mariotti as many as three to five times a day, attempting to sell him advertising space and
17 "leads." In the four years preceding 4/22/2020 (the date Mariotti's original Complaint was
18 filed), GoSmith sent Mariotti at least 186 telemarketing text messages at this number. GoSmith
19 knowingly and willfully sent these text messages using an automatic telephone dialing system
20 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith
21 knowingly and willfully sent these text messages without instituting procedures that meet the
22 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
23 § 64.1200(d). Mariotti seeks an amount not less than \$279,000 for at least 186 knowing and
24 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$279,000 for at least 186
25 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Mariotti seeks an amount
26 not less than \$93,000 for at least 186 negligent violations of 47 U.S.C. § 227(b), and not less
27 than \$93,000 for at least 186 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent

1 Mariotti at least 186 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090,
2 80.36.400, and an undetermined number of telephone solicitations in violation of RCW §
3 80.36.390, for which Mariotti seeks an amount not less than \$93,000, attorney's fees,
4 injunctive relief, and treble damages.

5 622. Bailey Marshall personally owns and uses the cellular phone number xxx-xxx-
6 1167. This number is a residential telephone subscription. In the four years preceding
7 1/30/2020 (the date Marshall's original Complaint was filed), GoSmith sent Marshall at least
8 26 telemarketing text messages at this number. GoSmith knowingly and willfully sent these
9 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
10 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
11 text messages without instituting procedures that meet the minimum standards required for
12 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Marshall seeks an
13 amount not less than \$39,000 for at least 26 knowing and willful violations of 47 U.S.C. §
14 227(b), and an amount not less than \$39,000 for at least 26 knowing and willful violations of
15 47 U.S.C. § 227(c). Alternatively, Marshall seeks an amount not less than \$13,000 for at least
16 26 negligent violations of 47 U.S.C. § 227(b), and not less than \$13,000 for at least 26
17 negligent violations of 47 U.S.C. § 227(c).

18 623. Darrell Martin personally owns and uses the cellular phone number xxx-xxx-
19 6220. This number is a residential telephone subscription and is listed as a personal plan with
20 Martin's cellular service provider. Martin has a separate, dedicated phone number for his
21 business calls that ends in -9672. On 8/15/2007, Martin registered this number on the National
22 Do Not Call Registry. In the four years preceding 1/30/2020 (the date Martin's original
23 Complaint was filed), GoSmith sent Martin at least 79 telemarketing text messages at this
24 number, more than 30 messages per year. GoSmith knowingly and willfully sent these text
25 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
26 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
27 text messages without instituting procedures that meet the minimum standards required for

1 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
2 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
3 least 2 text messages to Martin within a 12-month period after Martin was registered on the
4 National Do Not Call Registry, including but not limited to the period between 6/14/2017 and
5 6/14/2018. Martin seeks an amount not less than \$118,500 for at least 79 knowing and willful
6 violations of 47 U.S.C. § 227(b), and an amount not less than \$118,500 for at least 79 knowing
7 and willful violations of 47 U.S.C. § 227(c). Alternatively, Martin seeks an amount not less
8 than \$39,500 for at least 79 negligent violations of 47 U.S.C. § 227(b), and not less than
9 \$39,500 for at least 79 negligent violations of 47 U.S.C. § 227(c).

10 624. Amanda Martinez personally owns and uses the cellular phone number xxx-xxx-
11 2907. This number is a residential telephone subscription. In the four years preceding
12 1/30/2020 (the date Martinez's original Complaint was filed), GoSmith sent Martinez at least 9
13 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
14 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
15 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
16 text messages without instituting procedures that meet the minimum standards required for
17 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Martinez seeks an
18 amount not less than \$13,500 for at least 9 knowing and willful violations of 47 U.S.C. §
19 227(b), and an amount not less than \$13,500 for at least 9 knowing and willful violations of 47
20 U.S.C. § 227(c). Alternatively, Martinez seeks an amount not less than \$4,500 for at least 9
21 negligent violations of 47 U.S.C. § 227(b), and not less than \$4,500 for at least 9 negligent
22 violations of 47 U.S.C. § 227(c).

23 625. Michael Marton personally owns and uses the cellular phone number xxx-xxx-
24 4537. This number is a residential telephone subscription. In the four years preceding
25 4/28/2020 (the date Marton's original Complaint was filed), GoSmith sent Marton at least 74
26 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
27 messages using an automatic telephone dialing system in violation of 47 U.S.C. §

1 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
2 text messages without instituting procedures that meet the minimum standards required for
3 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Marton seeks an
4 amount not less than \$111,000 for at least 74 knowing and willful violations of 47 U.S.C. §
5 227(b), and an amount not less than \$111,000 for at least 74 knowing and willful violations of
6 47 U.S.C. § 227(c). Alternatively, Marton seeks an amount not less than \$37,000 for at least 74
7 negligent violations of 47 U.S.C. § 227(b), and not less than \$37,000 for at least 74 negligent
8 violations of 47 U.S.C. § 227(c).

9 626. Lenny Mason personally owns and uses the cellular phone number xxx-xxx-2237.
10 This number is a residential telephone subscription and is Mason's only phone number. It is his
11 personal cell phone. He pays for it out of his personal bank account and uses it for all his
12 personal calls. It is on a personal or family plan with his cellular service provider. On 6/3/2008,
13 Mason registered this number on the National Do Not Call Registry. In the four years
14 preceding 1/30/2020 (the date Mason's original Complaint was filed), GoSmith sent Mason at
15 least 15 telemarketing text messages at this number. GoSmith knowingly and willfully sent
16 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
17 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
18 text messages without instituting procedures that meet the minimum standards required for
19 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
20 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
21 least 2 text messages to Mason within a 12-month period after Mason was registered on the
22 National Do Not Call Registry, including but not limited to the period between 6/22/2017 and
23 6/22/2017. Mason seeks an amount not less than \$22,500 for at least 15 knowing and willful
24 violations of 47 U.S.C. § 227(b), and an amount not less than \$22,500 for at least 15 knowing
25 and willful violations of 47 U.S.C. § 227(c). Alternatively, Mason seeks an amount not less
26 than \$7,500 for at least 15 negligent violations of 47 U.S.C. § 227(b), and not less than \$7,500
27 for at least 15 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Mason at least

1 15 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and
2 an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which
3 Mason seeks an amount not less than \$7,500, attorney's fees, injunctive relief, and treble
4 damages.

5 627. Lisa Massey personally owns and uses the cellular phone number xxx-xxx-5485.
6 This number is a residential telephone subscription. In the four years preceding 4/21/2020 (the
7 date Massey's original Complaint was filed), GoSmith sent Massey at least 43 telemarketing
8 text messages at this number. GoSmith knowingly and willfully sent these text messages using
9 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
10 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
11 instituting procedures that meet the minimum standards required for telemarketing in violation
12 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Massey seeks an amount not less than
13 \$64,500 for at least 43 knowing and willful violations of 47 U.S.C. § 227(b), and an amount
14 not less than \$64,500 for at least 43 knowing and willful violations of 47 U.S.C. § 227(c).
15 Alternatively, Massey seeks an amount not less than \$21,500 for at least 43 negligent
16 violations of 47 U.S.C. § 227(b), and not less than \$21,500 for at least 43 negligent violations
17 of 47 U.S.C. § 227(c).

18 628. Jeric Massey personally owns and uses the cellular phone number xxx-xxx-7615.
19 This number is a residential telephone subscription. In the four years preceding 4/22/2020 (the
20 date Massey's original Complaint was filed), GoSmith sent Massey at least 2 telemarketing text
21 messages at this number. GoSmith knowingly and willfully sent these text messages using an
22 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
23 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
24 procedures that meet the minimum standards required for telemarketing in violation of 47
25 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Massey seeks an amount not less than \$3,000 for
26 at least 2 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
27 \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,

1 Massey seeks an amount not less than \$1,000 for at least 2 negligent violations of 47 U.S.C. §
2 227(b), and not less than \$1,000 for at least 2 negligent violations of 47 U.S.C. § 227(c).

3 629. Paul Mata personally owns and uses the cellular phone number xxx-xxx-5184.
4 This number is a residential telephone subscription and is Mata's only phone number. It is his
5 personal cell phone. He pays for it out of his personal bank account and uses it for all his
6 personal calls. It is on a personal or family plan with his cellular service provider. In the four
7 years preceding 4/21/2020 (the date Mata's original Complaint was filed), GoSmith sent Mata
8 at least 4 telemarketing text messages at this number. GoSmith knowingly and willfully sent
9 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
10 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
11 text messages without instituting procedures that meet the minimum standards required for
12 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Mata seeks an
13 amount not less than \$6,000 for at least 4 knowing and willful violations of 47 U.S.C. § 227(b),
14 and an amount not less than \$6,000 for at least 4 knowing and willful violations of 47 U.S.C. §
15 227(c). Alternatively, Mata seeks an amount not less than \$2,000 for at least 4 negligent
16 violations of 47 U.S.C. § 227(b), and not less than \$2,000 for at least 4 negligent violations of
17 47 U.S.C. § 227(c).

18 630. Robert Mathewson personally owns and uses the cellular phone number xxx-xxx-
19 0590. This number is a residential telephone subscription. On 8/2/2009, Mathewson registered
20 this number on the National Do Not Call Registry. In the four years preceding 4/28/2020 (the
21 date Mathewson's original Complaint was filed), GoSmith sent Mathewson at least 6
22 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
23 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
24 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
25 text messages without instituting procedures that meet the minimum standards required for
26 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
27 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at

1 least 2 text messages to Mathewson within a 12-month period after Mathewson was registered
2 on the National Do Not Call Registry, including but not limited to the period between 2/4/2017
3 and 6/22/2017. Mathewson seeks an amount not less than \$9,000 for at least 6 knowing and
4 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$9,000 for at least 6
5 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Mathewson seeks an
6 amount not less than \$3,000 for at least 6 negligent violations of 47 U.S.C. § 227(b), and not
7 less than \$3,000 for at least 6 negligent violations of 47 U.S.C. § 227(c).

8 631. Amir Mathiasen personally owns and uses the cellular phone number xxx-xxx-
9 2546. This number is a residential telephone subscription. In the four years preceding
10 4/22/2020 (the date Mathiasen's original Complaint was filed), GoSmith sent Mathiasen at
11 least 2 telemarketing text messages at this number. GoSmith knowingly and willfully sent
12 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
13 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
14 text messages without instituting procedures that meet the minimum standards required for
15 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Mathiasen seeks
16 an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. §
17 227(b), and an amount not less than \$3,000 for at least 2 knowing and willful violations of 47
18 U.S.C. § 227(c). Alternatively, Mathiasen seeks an amount not less than \$1,000 for at least 2
19 negligent violations of 47 U.S.C. § 227(b), and not less than \$1,000 for at least 2 negligent
20 violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Mathiasen at least 2 commercial text
21 messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined
22 number of telephone solicitations in violation of RCW § 80.36.390, for which Mathiasen seeks
23 an amount not less than \$1,000, attorney's fees, injunctive relief, and treble damages.

24 632. Carritha Matthews personally owns and uses the cellular phone number xxx-xxx-
25 6417. This number is a residential telephone subscription. In the four years preceding
26 1/30/2020 (the date Matthews's original Complaint was filed), GoSmith sent Matthews at least
27 22 telemarketing text messages at this number. GoSmith knowingly and willfully sent these

1 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
2 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
3 text messages without instituting procedures that meet the minimum standards required for
4 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Matthews seeks
5 an amount not less than \$33,000 for at least 22 knowing and willful violations of 47 U.S.C. §
6 227(b), and an amount not less than \$33,000 for at least 22 knowing and willful violations of
7 47 U.S.C. § 227(c). Alternatively, Matthews seeks an amount not less than \$11,000 for at least
8 22 negligent violations of 47 U.S.C. § 227(b), and not less than \$11,000 for at least 22
9 negligent violations of 47 U.S.C. § 227(c).

10 633. Jackie Maxey personally owns and uses the cellular phone number xxx-xxx-7074.
11 This number is a residential telephone subscription. In the four years preceding 4/21/2020 (the
12 date Maxey's original Complaint was filed), GoSmith sent Maxey at least 2 telemarketing text
13 messages at this number. GoSmith knowingly and willfully sent these text messages using an
14 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
15 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
16 procedures that meet the minimum standards required for telemarketing in violation of 47
17 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Maxey seeks an amount not less than \$3,000 for
18 at least 2 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
19 \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
20 Maxey seeks an amount not less than \$1,000 for at least 2 negligent violations of 47 U.S.C. §
21 227(b), and not less than \$1,000 for at least 2 negligent violations of 47 U.S.C. § 227(c).

22 634. Marlin Mayes Jr. personally owns and uses the cellular phone number xxx-xxx-
23 7306. This number is a residential telephone subscription on a family plan and is Mayes's only
24 phone number. However, Mayes uses this number exclusively for work. In the four years
25 preceding 1/30/2020 (the date Mayes Jr.'s original Complaint was filed), GoSmith sent Mayes
26 Jr. at least 9 telemarketing text messages at this number. GoSmith knowingly and willfully sent
27 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §

1 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
2 text messages without instituting procedures that meet the minimum standards required for
3 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Mayes Jr. seeks
4 an amount not less than \$13,500 for at least 9 knowing and willful violations of 47 U.S.C. §
5 227(b). Alternatively, Mayes Jr. seeks an amount not less than \$4,500 for at least 9 negligent
6 violations of 47 U.S.C. § 227(b).

7 635. Brady Mayson personally owns and uses the cellular phone number xxx-xxx-
8 2200. This number is a residential telephone subscription. In the four years preceding
9 4/22/2020 (the date Mayson's original Complaint was filed), GoSmith sent Mayson at least 44
10 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
11 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
12 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
13 text messages without instituting procedures that meet the minimum standards required for
14 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Mayson seeks an
15 amount not less than \$66,000 for at least 44 knowing and willful violations of 47 U.S.C. §
16 227(b), and an amount not less than \$66,000 for at least 44 knowing and willful violations of
17 47 U.S.C. § 227(c). Alternatively, Mayson seeks an amount not less than \$22,000 for at least
18 44 negligent violations of 47 U.S.C. § 227(b), and not less than \$22,000 for at least 44
19 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Mayson at least 44
20 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an
21 undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which
22 Mayson seeks an amount not less than \$22,000, attorney's fees, injunctive relief, and treble
23 damages.

24 636. Matt Mcauslan personally owns and uses the cellular phone number xxx-xxx-
25 1293. This number is a residential telephone subscription and is Mcauslan's only phone
26 number. It is his personal cell phone. He pays for it out of his personal bank account and uses it
27 for all his personal calls. It is on a personal or family plan with his cellular service provider. In

the four years preceding 4/22/2020 (the date Mcauslan's original Complaint was filed), GoSmith sent Mcauslan at least 2 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Mcauslan seeks an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Mcauslan seeks an amount not less than \$1,000 for at least 2 negligent violations of 47 U.S.C. § 227(b), and not less than \$1,000 for at least 2 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Mcauslan at least 2 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which Mcauslan seeks an amount not less than \$1,000, attorney's fees, injunctive relief, and treble damages.

637. Robert McCarthy personally owns and uses the cellular phone number xxx-xxx-9280. This number is a residential telephone subscription and is McCarthy's only phone number. It is his personal cell phone. He pays for it out of his personal bank account and uses it for all his personal calls. It is on a personal or family plan with his cellular service provider. In the four years preceding 1/30/2020 (the date McCarthy's original Complaint was filed), GoSmith sent McCarthy at least 3 or more telemarketing text messages per week at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). McCarthy seeks an amount not less than \$252,000 for at least 168 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less

1 than \$252,000 for at least 168 knowing and willful violations of 47 U.S.C. § 227(c).

2 Alternatively, McCarthy seeks an amount not less than \$84,000 for at least 168 negligent
3 violations of 47 U.S.C. § 227(b), and not less than \$84,000 for at least 168 negligent violations
4 of 47 U.S.C. § 227(c).

5 638. Larry McClure personally owns and uses the cellular phone number xxx-xxx-
6 4685. This number is a residential telephone subscription. On 10/11/2011, McClure registered
7 this number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the
8 date McClure's original Complaint was filed), GoSmith sent McClure at least 7 telemarketing
9 text messages at this number. GoSmith knowingly and willfully sent these text messages using
10 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
11 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
12 instituting procedures that meet the minimum standards required for telemarketing in violation
13 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and
14 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to
15 McClure within a 12-month period after McClure was registered on the National Do Not Call
16 Registry, including but not limited to the period between 6/22/2017 and 6/22/2018. McClure
17 seeks an amount not less than \$10,500 for at least 7 knowing and willful violations of 47
18 U.S.C. § 227(b), and an amount not less than \$10,500 for at least 7 knowing and willful
19 violations of 47 U.S.C. § 227(c). Alternatively, McClure seeks an amount not less than \$3,500
20 for at least 7 negligent violations of 47 U.S.C. § 227(b), and not less than \$3,500 for at least 7
21 negligent violations of 47 U.S.C. § 227(c).

22 639. Mark McCreary personally owns and uses the cellular phone number xxx-xxx-
23 5459. This number is a residential telephone subscription and is McCreary's only phone
24 number. It is his personal cell phone. He pays for it out of his personal bank account and uses it
25 for all his personal calls. It is on a personal or family plan with his cellular service provider. He
26 charges it at night in his room. On 7/29/2008, McCreary registered this number on the National
27 Do Not Call Registry. In the four years preceding 4/27/2020 (the date McCreary's original

1 Complaint was filed), GoSmith sent McCreary at least 16 telemarketing text messages and
2 phone calls at this number. Go Smith sent the texts twice a day at times, up to 3-4 times per
3 week. GoSmith also called McCreary's personal cell phone number, 4-5 times a month.
4 McCreary was never able to get anyone to answer when he texted in reply or called back
5 attempting to stop the texts and calls. This went on for several months until McCreary just
6 started blocking the calls. GoSmith knowingly and willfully sent these text messages using an
7 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
8 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
9 procedures that meet the minimum standards required for telemarketing in violation of 47
10 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
11 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to
12 McCreary within a 12-month period after McCreary was registered on the National Do Not
13 Call Registry, including but not limited to the period between 12/14/2016 and 9/29/2017.
14 McCreary seeks an amount not less than \$24,000 for at least 16 knowing and willful violations
15 of 47 U.S.C. § 227(b), and an amount not less than \$24,000 for at least 16 knowing and willful
16 violations of 47 U.S.C. § 227(c). Alternatively, McCreary seeks an amount not less than
17 \$8,000 for at least 16 negligent violations of 47 U.S.C. § 227(b), and not less than \$8,000 for at
18 least 16 negligent violations of 47 U.S.C. § 227(c).

19 640. Lillian McDonald personally owns and uses the cellular phone number xxx-xxx-
20 9015. This number is a residential telephone subscription that McDonald used for business
21 exclusively. In the four years preceding 4/28/2020 (the date McDonald's original Complaint
22 was filed), GoSmith sent McDonald at least 8 telemarketing text messages at this number.
23 Upon information and belief, the actual number is much, much higher. McDonald tried to get
24 the messages to stop, replying "STOP," but the texts kept coming. GoSmith knowingly and
25 willfully sent these text messages using an automatic telephone dialing system in violation of
26 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully
27 sent these text messages without instituting procedures that meet the minimum standards

1 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d).
2 McDonald seeks an amount not less than \$12,000 for at least 8 knowing and willful violations
3 of 47 U.S.C. § 227(b). Alternatively, McDonald seeks an amount not less than \$4,000 for at
4 least 8 negligent violations of 47 U.S.C. § 227(b).

5 641. Leona McFalls Zeqiri personally owns and uses the cellular phone number xxx-
6 xxx-6939. This number is a residential telephone subscription. In the four years preceding
7 1/30/2020 (the date McFalls Zeqiri's original Complaint was filed), GoSmith sent McFalls
8 Zeqiri at least 99 telemarketing text messages at this number. GoSmith knowingly and
9 willfully sent these text messages using an automatic telephone dialing system in violation of
10 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully
11 sent these text messages without instituting procedures that meet the minimum standards
12 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d).
13 McFalls Zeqiri seeks an amount not less than \$148,500 for at least 99 knowing and willful
14 violations of 47 U.S.C. § 227(b), and an amount not less than \$148,500 for at least 99 knowing
15 and willful violations of 47 U.S.C. § 227(c). Alternatively, McFalls Zeqiri seeks an amount not
16 less than \$49,500 for at least 99 negligent violations of 47 U.S.C. § 227(b), and not less than
17 \$49,500 for at least 99 negligent violations of 47 U.S.C. § 227(c).

18 642. Chris McGonagle personally owns and uses the cellular phone number xxx-xxx-
19 0058. This number is a residential telephone subscription. In the four years preceding
20 4/22/2020 (the date McGonagle's original Complaint was filed), GoSmith sent McGonagle at
21 least 37 telemarketing text messages at this number. GoSmith knowingly and willfully sent
22 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
23 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
24 text messages without instituting procedures that meet the minimum standards required for
25 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). McGonagle seeks
26 an amount not less than \$55,500 for at least 37 knowing and willful violations of 47 U.S.C. §
27 227(b), and an amount not less than \$55,500 for at least 37 knowing and willful violations of

47 U.S.C. § 227(c). Alternatively, Mcgonagle seeks an amount not less than \$18,500 for at least 37 negligent violations of 47 U.S.C. § 227(b), and not less than \$18,500 for at least 37 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Mcgonagle at least 37 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which Mcgonagle seeks an amount not less than \$18,500, attorney's fees, injunctive relief, and treble damages.

643. Krystal McKinnie personally owns and uses the cellular phone number xxx-xxx-3547. This number is a residential telephone subscription and is McKinnie's personal phone number (her only phone number). She pays for it out of her personal account and uses it for all her personal calls. On 7/1/2011, McKinnie registered this number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date McKinnie's original Complaint was filed), GoSmith sent McKinnie at least 135 telemarketing text messages at this number. McKinnie received texts from Defendants almost every day for months on end, to the point where she checked to make sure she was still on the Do Not Call Registry because the volume was so great. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to McKinnie within a 12-month period after McKinnie was registered on the National Do Not Call Registry, including but not limited to the period between 1/30/2016 and 1/29/2017. McKinnie seeks an amount not less than \$202,500 for at least 135 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$202,500 for at least 135 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, McKinnie seeks an

1 amount not less than \$67,500 for at least 135 negligent violations of 47 U.S.C. § 227(b), and
2 not less than \$67,500 for at least 135 negligent violations of 47 U.S.C. § 227(c).

3 644. Joseph McPherson personally owns and uses the cellular phone number xxx-xxx-
4 4547. This number is a residential telephone subscription and is McPherson's only phone. He
5 uses it for all his personal calls and pays for it out of his personal bank account. He keeps it
6 with him and charges it on his nightstand every night. His family and friends call him at this
7 number. On 7/28/2006, McPherson registered this number on the National Do Not Call
8 Registry. In the four years preceding 1/30/2020 (the date McPherson's original Complaint was
9 filed), GoSmith sent McPherson at least two telemarketing text messages per week at this
10 number. GoSmith knowingly and willfully sent these text messages using an automatic
11 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
12 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
13 procedures that meet the minimum standards required for telemarketing in violation of 47
14 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
15 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to
16 McPherson within a 12-month period after McPherson was registered on the National Do Not
17 Call Registry, including but not limited to the period between 4/30/2017 and 7/18/2017.
18 McPherson seeks an amount not less than \$61,500 for at least 41 knowing and willful
19 violations of 47 U.S.C. § 227(b), and an amount not less than \$61,500 for at least 41 knowing
20 and willful violations of 47 U.S.C. § 227(c). Alternatively, McPherson seeks an amount not
21 less than \$20,500 for at least 41 negligent violations of 47 U.S.C. § 227(b), and not less than
22 \$20,500 for at least 41 negligent violations of 47 U.S.C. § 227(c).

23 645. Kenneth McPherson personally owns and uses the cellular phone number xxx-
24 xxx-5316. This number is a residential telephone subscription and McPherson's only cell
25 phone. McPherson uses this cell phone for all his personal calls and keeps this cell phone on
26 him at all times. He charges this cell phone near his bedside at night and pays for it out of his
27 personal bank account. On 12/12/2008, McPherson registered this number on the National Do

1 Not Call Registry. In the four years preceding 4/22/2020 (the date McPherson's original
2 Complaint was filed), GoSmith sent McPherson at least 274 telemarketing text messages at this
3 number. McPherson endured a six-month period where GoSmith texted him at least once a day
4 on weekdays and 2-3 times on Saturdays and Sundays. After a while, the texts tapered off.
5 McPherson tried to get the texts to stop but could not. He complained to his telephone service
6 provider, but there was nothing they could do at the time. GoSmith knowingly and willfully
7 sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C.
8 § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
9 text messages without instituting procedures that meet the minimum standards required for
10 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
11 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
12 least 2 text messages to McPherson within a 12-month period after McPherson was registered
13 on the National Do Not Call Registry, including but not limited to the period between
14 1/30/2017 and 8/15/2017. McPherson seeks an amount not less than \$411,000 for at least 274
15 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$411,000
16 for at least 274 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, McPherson
17 seeks an amount not less than \$137,000 for at least 274 negligent violations of 47 U.S.C. §
18 227(b), and not less than \$137,000 for at least 274 negligent violations of 47 U.S.C. § 227(c).

19 646. Wess Meader personally owns and uses the cellular phone number xxx-xxx-8056.
20 This number is a residential telephone subscription. On 4/10/2019, Meader registered this
21 number on the National Do Not Call Registry. In the four years preceding 4/28/2020 (the date
22 Meader's original Complaint was filed), GoSmith sent Meader at least 44 telemarketing text
23 messages at this number. GoSmith knowingly and willfully sent these text messages using an
24 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
25 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
26 procedures that meet the minimum standards required for telemarketing in violation of 47
27 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47

1 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Meader
2 within a 12-month period after Meader was registered on the National Do Not Call Registry,
3 including but not limited to the period between 4/10/2019 and 1/30/2020. Meader seeks an
4 amount not less than \$66,000 for at least 44 knowing and willful violations of 47 U.S.C. §
5 227(b), and an amount not less than \$66,000 for at least 44 knowing and willful violations of
6 47 U.S.C. § 227(c). Alternatively, Meader seeks an amount not less than \$22,000 for at least 44
7 negligent violations of 47 U.S.C. § 227(b), and not less than \$22,000 for at least 44 negligent
8 violations of 47 U.S.C. § 227(c).

9 647. Nick Means personally owns and uses the cellular phone number xxx-xxx-8187.
10 This number is a residential telephone subscription and is Means's personal cell phone and only
11 phone number. He pays for it out of his personal account and uses it for all her personal calls.
12 In the four years preceding 4/22/2020 (the date Means's original Complaint was filed),
13 GoSmith sent at least 450 telemarketing text messages and phone calls to Means's cell phone at
14 this number. GoSmith texted Means 2-3 times a day. Means tried to opt out every time.
15 GoSmith also called Means personal cell phone multiple times a week. The harassment went
16 on for more than 6 months at this level. The calls and texts distracted Means several times a
17 day for no reason. Every time, Means would drop what he was doing to check the message or
18 call, only to find out it was GoSmith. It caused him great frustration. GoSmith knowingly and
19 willfully sent these text messages using an automatic telephone dialing system in violation of
20 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully
21 sent these text messages without instituting procedures that meet the minimum standards
22 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d).
23 Means seeks an amount not less than \$675,000 for at least 450 knowing and willful violations
24 of 47 U.S.C. § 227(b), and an amount not less than \$675,000 for at least 450 knowing and
25 willful violations of 47 U.S.C. § 227(c). Alternatively, Means seeks an amount not less than
26 \$225,000 for at least 450 negligent violations of 47 U.S.C. § 227(b), and not less than
27 \$225,000 for at least 450 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent

Means at least 450 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which Means seeks an amount not less than \$225,000, attorney's fees, injunctive relief, and treble damages.

648. Ruben Medina personally owns and uses the cellular phone number xxx-xxx-4055. This number is a residential telephone subscription that is Medina's personal cell phone. The business has a landline in the office with a separate, dedicated number. Medina uses his cell phone for all personal calls. In the four years preceding 1/30/2020 (the date Medina's original Complaint was filed), GoSmith sent Medina at least 30 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Medina seeks an amount not less than \$45,000 for at least 30 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$45,000 for at least 30 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Medina seeks an amount not less than \$15,000 for at least 30 negligent violations of 47 U.S.C. § 227(b), and not less than \$15,000 for at least 30 negligent violations of 47 U.S.C. § 227(c).

649. Justin Meier personally owns and uses the cellular phone number xxx-xxx-9833. This number is a residential telephone subscription. In the four years preceding 4/28/2020 (the date Meier's original Complaint was filed), GoSmith sent Meier at least 4 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Meier seeks an amount not less than \$6,000 for at least 4 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than

1 \$6,000 for at least 4 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Meier
2 seeks an amount not less than \$2,000 for at least 4 negligent violations of 47 U.S.C. § 227(b),
3 and not less than \$2,000 for at least 4 negligent violations of 47 U.S.C. § 227(c).

4 650. DJ Melodia Sr personally owns and uses the cellular phone number xxx-xxx-
5 5771. This number is a residential telephone subscription, but Melodia Sr uses it for business
6 only. In the four years preceding 4/29/2020 (the date Melodia Sr's original Complaint was
7 filed), GoSmith sent Melodia Sr at least 20 telemarketing text messages at this number. Every
8 time, Melodia Sr. responded, "Please stop texting me," but GoSmith continued to harass him.
9 GoSmith knowingly and willfully sent these text messages using an automatic telephone
10 dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7).
11 GoSmith knowingly and willfully sent these text messages without instituting procedures that
12 meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and
13 47 C.F.R. § 64.1200(d). Melodia Sr seeks an amount not less than \$30,000 for at least 20
14 knowing and willful violations of 47 U.S.C. § 227(b). Alternatively, Melodia Sr seeks an
15 amount not less than \$10,000 for at least 20 negligent violations of 47 U.S.C. § 227(b).

16 651. Timothy Melvin personally owns and uses the cellular phone number xxx-xxx-
17 5198. This number is a residential telephone subscription. In the four years preceding
18 1/30/2020 (the date Melvin's original Complaint was filed), GoSmith sent Melvin at least 284
19 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
20 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
21 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
22 text messages without instituting procedures that meet the minimum standards required for
23 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Melvin seeks an
24 amount not less than \$426,000 for at least 284 knowing and willful violations of 47 U.S.C. §
25 227(b), and an amount not less than \$426,000 for at least 284 knowing and willful violations of
26 47 U.S.C. § 227(c). Alternatively, Melvin seeks an amount not less than \$142,000 for at least
27

1 284 negligent violations of 47 U.S.C. § 227(b), and not less than \$142,000 for at least 284
2 negligent violations of 47 U.S.C. § 227(c).

3 652. James Mendez personally owns and uses the cellular phone number xxx-xxx-
4 7615. This number is a residential telephone subscription. In the four years preceding
5 1/30/2020 (the date Mendez's original Complaint was filed), GoSmith sent Mendez at least 111
6 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
7 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
8 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
9 text messages without instituting procedures that meet the minimum standards required for
10 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Mendez seeks an
11 amount not less than \$166,500 for at least 111 knowing and willful violations of 47 U.S.C. §
12 227(b), and an amount not less than \$166,500 for at least 111 knowing and willful violations of
13 47 U.S.C. § 227(c). Alternatively, Mendez seeks an amount not less than \$55,500 for at least
14 111 negligent violations of 47 U.S.C. § 227(b), and not less than \$55,500 for at least 111
15 negligent violations of 47 U.S.C. § 227(c).

16 653. David Mendola personally owns and uses the cellular phone number xxx-xxx-
17 1527. This number is a residential telephone subscription. In the four years preceding
18 4/21/2020 (the date Mendola's original Complaint was filed), GoSmith sent Mendola at least
19 1,589 telemarketing text messages at this number. GoSmith knowingly and willfully sent these
20 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
21 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
22 text messages without instituting procedures that meet the minimum standards required for
23 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Mendola seeks an
24 amount not less than \$2,383,500 for at least 1,589 knowing and willful violations of 47 U.S.C.
25 § 227(b), and an amount not less than \$2,383,500 for at least 1,589 knowing and willful
26 violations of 47 U.S.C. § 227(c). Alternatively, Mendola seeks an amount not less than
27

1 \$794,500 for at least 1,589 negligent violations of 47 U.S.C. § 227(b), and not less than
2 \$794,500 for at least 1,589 negligent violations of 47 U.S.C. § 227(c).

3 654. Scott Meola personally owns and uses the cellular phone number xxx-xxx-1505.
4 This number is a residential telephone subscription and is Meola's only phone. He uses this
5 phone in all his personal calls and it is how his family and friends contact him. In the four
6 years preceding 4/22/2020 (the date Meola's original Complaint was filed), GoSmith sent
7 Meola at least 15 telemarketing text messages at this number. Meola attempted several times to
8 find out who was calling him by calling the numbers back. He did not get any answers.
9 GoSmith knowingly and willfully sent these text messages using an automatic telephone
10 dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7).
11 GoSmith knowingly and willfully sent these text messages without instituting procedures that
12 meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and
13 47 C.F.R. § 64.1200(d). Meola seeks an amount not less than \$22,500 for at least 15 knowing
14 and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$22,500 for at least
15 15 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Meola seeks an amount
16 not less than \$7,500 for at least 15 negligent violations of 47 U.S.C. § 227(b), and not less than
17 \$7,500 for at least 15 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Meola
18 at least 15 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090,
19 80.36.400, and an undetermined number of telephone solicitations in violation of RCW §
20 80.36.390, for which Meola seeks an amount not less than \$7,500, attorney's fees, injunctive
21 relief, and treble damages.

22 655. Liz Meraz personally owns and uses the cellular phone number xxx-xxx-4564.
23 This number is a residential telephone subscription and is Liz's personal cell phone, not a
24 business phone. She pays for it out of her personal bank account and uses it for all her personal
25 calls. She keeps it with her and charges it at night in her room, and this is the number her
26 friends and family use to contact her. In the four years preceding 4/28/2020 (the date Meraz's
27 original Complaint was filed), GoSmith sent Meraz at least 665 telemarketing text messages

1 and phone calls to her personal cell phone at this number. GoSmith sent 2-3 messages per day,
2 off and on, for a period of over two years and also tried to solicit through automatically-dialed
3 telemarketing calls to her cell phone number. Meraz tried calling back and asking to be
4 removed or unsubscribed but she was never successful at getting them to stop calling. Meraz
5 received messages at all hours of the day and sometimes even at night. GoSmith knowingly
6 and willfully sent these text messages using an automatic telephone dialing system in violation
7 of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and
8 willfully sent these text messages without instituting procedures that meet the minimum
9 standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. §
10 64.1200(d). Meraz seeks an amount not less than \$997,500 for at least 665 knowing and willful
11 violations of 47 U.S.C. § 227(b), and an amount not less than \$997,500 for at least 665
12 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Meraz seeks an amount
13 not less than \$332,500 for at least 665 negligent violations of 47 U.S.C. § 227(b), and not less
14 than \$332,500 for at least 665 negligent violations of 47 U.S.C. § 227(c).

15 656. Brian Mersereau personally owns and uses the cellular phone number xxx-xxx-
16 4957. This number is a residential telephone subscription. In the four years preceding
17 4/28/2020 (the date Mersereau's original Complaint was filed), GoSmith sent Mersereau at
18 least 12 telemarketing text messages at this number. GoSmith knowingly and willfully sent
19 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
20 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
21 text messages without instituting procedures that meet the minimum standards required for
22 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Mersereau seeks
23 an amount not less than \$18,000 for at least 12 knowing and willful violations of 47 U.S.C. §
24 227(b), and an amount not less than \$18,000 for at least 12 knowing and willful violations of
25 47 U.S.C. § 227(c). Alternatively, Mersereau seeks an amount not less than \$6,000 for at least
26 12 negligent violations of 47 U.S.C. § 227(b), and not less than \$6,000 for at least 12 negligent
27 violations of 47 U.S.C. § 227(c).

1 657. Chris Michael personally owns and uses the cellular phone number xxx-xxx-
2 5929. This number is a residential telephone subscription and a cell phone that Michael rarely
3 uses for personal use, since his wife has a phone they use to talk to family and friends. In the
4 four years preceding 4/28/2020 (the date Michael's original Complaint was filed), GoSmith
5 sent Michael at least 18 telemarketing text messages at this number. GoSmith knowingly and
6 willfully sent these text messages using an automatic telephone dialing system in violation of
7 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully
8 sent these text messages without instituting procedures that meet the minimum standards
9 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d).
10 Michael seeks an amount not less than \$27,000 for at least 18 knowing and willful violations of
11 47 U.S.C. § 227(b). Alternatively, Michael seeks an amount not less than \$9,000 for at least 18
12 negligent violations of 47 U.S.C. § 227(b).

13 658. Cristian Millan personally owns and uses the cellular phone number xxx-xxx-
14 4237. This number is a residential telephone subscription. In the four years preceding
15 4/22/2020 (the date Millan's original Complaint was filed), GoSmith sent Millan at least 3
16 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
17 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
18 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
19 text messages without instituting procedures that meet the minimum standards required for
20 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Millan seeks an
21 amount not less than \$4,500 for at least 3 knowing and willful violations of 47 U.S.C. § 227(b),
22 and an amount not less than \$4,500 for at least 3 knowing and willful violations of 47 U.S.C. §
23 227(c). Alternatively, Millan seeks an amount not less than \$1,500 for at least 3 negligent
24 violations of 47 U.S.C. § 227(b), and not less than \$1,500 for at least 3 negligent violations of
25 47 U.S.C. § 227(c).

26 659. Mark Miller personally owns and uses the cellular phone number xxx-xxx-4479.
27 This number is a residential telephone subscription. In the four years preceding 4/21/2020 (the

1 date Miller's original Complaint was filed), GoSmith sent Miller at least 53 telemarketing text
 2 messages at this number. GoSmith knowingly and willfully sent these text messages using an
 3 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
 4 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
 5 procedures that meet the minimum standards required for telemarketing in violation of 47
 6 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Miller seeks an amount not less than \$79,500 for
 7 at least 53 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
 8 \$79,500 for at least 53 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
 9 Miller seeks an amount not less than \$26,500 for at least 53 negligent violations of 47 U.S.C. §
 10 227(b), and not less than \$26,500 for at least 53 negligent violations of 47 U.S.C. § 227(c).

11 660. Jay Miller personally owns and uses the cellular phone number xxx-xxx-6528.
 12 This number is a residential telephone subscription. On 2/19/2015, Miller registered this
 13 number on the National Do Not Call Registry. In the four years preceding 4/28/2020 (the date
 14 Miller's original Complaint was filed), GoSmith sent Miller at least 4 telemarketing text
 15 messages at this number. GoSmith knowingly and willfully sent these text messages using an
 16 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
 17 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
 18 procedures that meet the minimum standards required for telemarketing in violation of 47
 19 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
 20 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Miller
 21 within a 12-month period after Miller was registered on the National Do Not Call Registry,
 22 including but not limited to the period between 4/28/2016 and 4/28/2017. Miller seeks an
 23 amount not less than \$6,000 for at least 4 knowing and willful violations of 47 U.S.C. § 227(b),
 24 and an amount not less than \$6,000 for at least 4 knowing and willful violations of 47 U.S.C. §
 25 227(c). Alternatively, Miller seeks an amount not less than \$2,000 for at least 4 negligent
 26 violations of 47 U.S.C. § 227(b), and not less than \$2,000 for at least 4 negligent violations of
 27 47 U.S.C. § 227(c).

661. Matthew Miller personally owns and uses the cellular phone number xxx-xxx-2046. This number is a residential telephone subscription and is Miller's only phone. He uses this cell phone for all his personal calls and pays for it out of his personal bank account. It is how his friends and family contact him and is on a family or individual plan with his cellphone service provider. In the four years preceding 4/22/2020 (the date Miller's original Complaint was filed), GoSmith sent at least 581 telemarketing text messages and phone calls to Miller's personal cell phone at this number. There was a period of about 4-5 months where GoSmith sent Miller several texts a week and called him about 5 times a week. Miller describes those months as "miserable." Even when Miller repetitively told them to leave him alone, they still kept calling and texting him, several times waking him from sleep. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Miller seeks an amount not less than \$871,500 for at least 581 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$871,500 for at least 581 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Miller seeks an amount not less than \$290,500 for at least 581 negligent violations of 47 U.S.C. § 227(b), and not less than \$290,500 for at least 581 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Miller at least 581 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which Miller seeks an amount not less than \$290,500, attorney's fees, injunctive relief, and treble damages.

662. Hoyt Milliner personally owns and uses the cellular phone number xxx-xxx-9280. This number is a residential telephone subscription that Milliner uses strictly for his home-based business. He does use it for personal calls, but rarely. In the four years preceding 1/30/2020 (the date Milliner's original Complaint was filed), GoSmith sent Milliner at least 46

1 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
2 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
3 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
4 text messages without instituting procedures that meet the minimum standards required for
5 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Milliner seeks an
6 amount not less than \$69,000 for at least 46 knowing and willful violations of 47 U.S.C. §
7 227(b). Alternatively, Milliner seeks an amount not less than \$23,000 for at least 46 negligent
8 violations of 47 U.S.C. § 227(b).

9 663. Ryan Milly personally owns and uses the cellular phone number xxx-xxx-9110.
10 This number is a residential telephone subscription. In the four years preceding 4/28/2020 (the
11 date Milly's original Complaint was filed), GoSmith sent Milly at least 18 telemarketing text
12 messages at this number. GoSmith knowingly and willfully sent these text messages using an
13 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
14 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
15 procedures that meet the minimum standards required for telemarketing in violation of 47
16 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Milly seeks an amount not less than \$27,000 for
17 at least 18 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
18 \$27,000 for at least 18 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
19 Milly seeks an amount not less than \$9,000 for at least 18 negligent violations of 47 U.S.C. §
20 227(b), and not less than \$9,000 for at least 18 negligent violations of 47 U.S.C. § 227(c).

21 664. Rosemary Minjarez personally owns and uses the cellular phone number xxx-xxx-
22 7951. This number is a residential telephone subscription. In the four years preceding
23 1/30/2020 (the date Minjarez's original Complaint was filed), GoSmith sent Minjarez at least
24 21 telemarketing text messages at this number. GoSmith knowingly and willfully sent these
25 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
26 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
27 text messages without instituting procedures that meet the minimum standards required for

1 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Minjarez seeks an
 2 amount not less than \$31,500 for at least 21 knowing and willful violations of 47 U.S.C. §
 3 227(b), and an amount not less than \$31,500 for at least 21 knowing and willful violations of
 4 47 U.S.C. § 227(c). Alternatively, Minjarez seeks an amount not less than \$10,500 for at least
 5 21 negligent violations of 47 U.S.C. § 227(b), and not less than \$10,500 for at least 21
 6 negligent violations of 47 U.S.C. § 227(c).

7 665. Michelle Minton personally owns and uses the cellular phone number xxx-xxx-
 8 2412. This number is a residential telephone subscription. In the four years preceding
 9 1/30/2020 (the date Minton's original Complaint was filed), GoSmith sent Minton at least 7
 10 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
 11 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
 12 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
 13 text messages without instituting procedures that meet the minimum standards required for
 14 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Minton seeks an
 15 amount not less than \$10,500 for at least 7 knowing and willful violations of 47 U.S.C. §
 16 227(b), and an amount not less than \$10,500 for at least 7 knowing and willful violations of 47
 17 U.S.C. § 227(c). Alternatively, Minton seeks an amount not less than \$3,500 for at least 7
 18 negligent violations of 47 U.S.C. § 227(b), and not less than \$3,500 for at least 7 negligent
 19 violations of 47 U.S.C. § 227(c).

20 666. John Mitchell personally owns and uses the cellular phone number xxx-xxx-6052.
 21 This number is a residential telephone subscription and is Mitchell's personal cell phone. He
 22 uses it for his personal calls and friends and family contact him on this phone. He keeps it with
 23 him and charges it in his room at night. In the four years preceding 4/30/2020 (the date
 24 Mitchell's original Complaint was filed), GoSmith sent and made at least 10 telemarketing text
 25 messages and phone calls to Mitchell's personal cell phone at this number, asking him to
 26 contact them to purchase remodeling leads. When Mitchell answered GoSmith's phone calls,
 27 he stated he was not interested and GoSmith still kept calling. Mitchell called the numbers

1 back to ask to be removed from GoSmith's internal Do Not Call list and still received calls.
2 Mitchell told one of the GoSmith representatives that he wouldn't look at their leads without a
3 check payment first and GoSmith could not produce it. GoSmith knowingly and willfully sent
4 these text messages and made these calls using an automatic telephone dialing system in
5 violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly
6 and willfully sent these text messages without instituting procedures that meet the minimum
7 standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. §
8 64.1200(d). Mitchell seeks an amount not less than \$15,000 for at least 10 knowing and willful
9 violations of 47 U.S.C. § 227(b), and an amount not less than \$15,000 for at least 10 knowing
10 and willful violations of 47 U.S.C. § 227(c). Alternatively, Mitchell seeks an amount not less
11 than \$5,000 for at least 10 negligent violations of 47 U.S.C. § 227(b), and not less than \$5,000
12 for at least 10 negligent violations of 47 U.S.C. § 227(c).

13 667. Harry Mitchell personally owns and uses the cellular phone number xxx-xxx-
14 3443. This number is a residential telephone subscription. On 4/10/2009, Mitchell registered
15 this number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the
16 date Mitchell's original Complaint was filed), GoSmith sent Mitchell at least 4 telemarketing
17 text messages at this number. GoSmith knowingly and willfully sent these text messages using
18 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
19 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
20 instituting procedures that meet the minimum standards required for telemarketing in violation
21 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and
22 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to
23 Mitchell within a 12-month period after Mitchell was registered on the National Do Not Call
24 Registry, including but not limited to the period between 6/12/2017 and 6/12/2018. Mitchell
25 seeks an amount not less than \$6,000 for at least 4 knowing and willful violations of 47 U.S.C.
26 § 227(b), and an amount not less than \$6,000 for at least 4 knowing and willful violations of 47
27 U.S.C. § 227(c). Alternatively, Mitchell seeks an amount not less than \$2,000 for at least 4

1 negligent violations of 47 U.S.C. § 227(b), and not less than \$2,000 for at least 4 negligent
2 violations of 47 U.S.C. § 227(c).

3 668. Mohamed personally owns and uses the cellular phone number xxx-xxx-9986.
4 This number is a residential telephone subscription. In the four years preceding 4/29/2020 (the
5 date Mohamed's original Complaint was filed), GoSmith sent Mohamed at least 2
6 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
7 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
8 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
9 text messages without instituting procedures that meet the minimum standards required for
10 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Mohamed seeks
11 an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. §
12 227(b), and an amount not less than \$3,000 for at least 2 knowing and willful violations of 47
13 U.S.C. § 227(c). Alternatively, Mohamed seeks an amount not less than \$1,000 for at least 2
14 negligent violations of 47 U.S.C. § 227(b), and not less than \$1,000 for at least 2 negligent
15 violations of 47 U.S.C. § 227(c).

16 669. Joshua Montgomery personally owns and uses the cellular phone number xxx-
17 xxx-1035. This number is a residential telephone subscription. On 7/22/2005, Montgomery
18 registered this number on the National Do Not Call Registry. In the four years preceding
19 4/27/2020 (the date Montgomery's original Complaint was filed), GoSmith sent Montgomery
20 at least 9 telemarketing text messages at this number. GoSmith knowingly and willfully sent
21 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
22 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
23 text messages without instituting procedures that meet the minimum standards required for
24 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
25 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
26 least 2 text messages to Montgomery within a 12-month period after Montgomery was
27 registered on the National Do Not Call Registry, including but not limited to the period

1 between 4/27/2016 and 4/27/2017. Montgomery seeks an amount not less than \$13,500 for at
2 least 9 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
3 \$13,500 for at least 9 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
4 Montgomery seeks an amount not less than \$4,500 for at least 9 negligent violations of 47
5 U.S.C. § 227(b), and not less than \$4,500 for at least 9 negligent violations of 47 U.S.C. §
6 227(c). Finally, GoSmith sent Montgomery at least 9 commercial text messages in violation of
7 RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone
8 solicitations in violation of RCW § 80.36.390, for which Montgomery seeks an amount not less
9 than \$4,500, attorney's fees, injunctive relief, and treble damages.

10 670. Craig Montgomery personally owns and uses the cellular phone number xxx-xxx-
11 9299. This number is a residential telephone subscription. On 10/4/2007, Montgomery
12 registered this number on the National Do Not Call Registry. In the four years preceding
13 4/22/2020 (the date Montgomery's original Complaint was filed), GoSmith sent Montgomery
14 at least 16 telemarketing text messages at this number. GoSmith knowingly and willfully sent
15 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
16 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
17 text messages without instituting procedures that meet the minimum standards required for
18 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
19 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
20 least 2 text messages to Montgomery within a 12-month period after Montgomery was
21 registered on the National Do Not Call Registry, including but not limited to the period
22 between 2/4/2017 and 2/4/2018. Montgomery seeks an amount not less than \$24,000 for at
23 least 16 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
24 \$24,000 for at least 16 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
25 Montgomery seeks an amount not less than \$8,000 for at least 16 negligent violations of 47
26 U.S.C. § 227(b), and not less than \$8,000 for at least 16 negligent violations of 47 U.S.C. §
27 227(c).

671. Israel Montijo personally owns and uses the cellular phone number xxx-xxx-4779. This number is a residential telephone subscription. In the four years preceding 1/30/2020 (the date Montijo's original Complaint was filed), GoSmith sent Montijo at least 582 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Montijo seeks an amount not less than \$873,000 for at least 582 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$873,000 for at least 582 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Montijo seeks an amount not less than \$291,000 for at least 582 negligent violations of 47 U.S.C. § 227(b), and not less than \$291,000 for at least 582 negligent violations of 47 U.S.C. § 227(c).

672. Kerry Moody personally owns and uses the cellular phone number xxx-xxx-1332. This number is a residential telephone subscription and is Moody's personal cell phone. He makes his personal calls with this phone and keeps it with him, charging it in his house at night. His friends and family contact him on this number. In the four years preceding 1/30/2020 (the date Moody's original Complaint was filed), GoSmith sent Moody at least 35 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Moody seeks an amount not less than \$52,500 for at least 35 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$52,500 for at least 35 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Moody seeks an amount not less than \$17,500 for at least 35

1 negligent violations of 47 U.S.C. § 227(b), and not less than \$17,500 for at least 35 negligent
2 violations of 47 U.S.C. § 227(c).

3 673. Michael Moon personally owns and uses the cellular phone number xxx-xxx-
4 7408. This number is a residential telephone subscription. In the four years preceding
5 4/28/2020 (the date Moon's original Complaint was filed), GoSmith sent Moon at least 49
6 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
7 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
8 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
9 text messages without instituting procedures that meet the minimum standards required for
10 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Moon seeks an
11 amount not less than \$73,500 for at least 49 knowing and willful violations of 47 U.S.C. §
12 227(b), and an amount not less than \$73,500 for at least 49 knowing and willful violations of
13 47 U.S.C. § 227(c). Alternatively, Moon seeks an amount not less than \$24,500 for at least 49
14 negligent violations of 47 U.S.C. § 227(b), and not less than \$24,500 for at least 49 negligent
15 violations of 47 U.S.C. § 227(c).

16 674. Peter Moore personally owns and uses the cellular phone number xxx-xxx-8864.
17 This number is a residential telephone subscription and is part of Moore's family plan with his
18 cellular phone service provider. He takes his personal calls and texts with this phone and keeps
19 it with him at all times, but he also uses it for his work in his security system business, which
20 he has always run from his home. This phone charges on his nightstand at night and is his only
21 phone number. In the four years preceding 4/21/2020 (the date Moore's original Complaint was
22 filed), GoSmith sent Moore's personal cell phone at least 113 telemarketing text messages, at
23 least 2-4 times a week. GoSmith knowingly and willfully sent these text messages using an
24 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
25 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
26 procedures that meet the minimum standards required for telemarketing in violation of 47
27 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Moore seeks an amount not less than \$169,500 for

1 at least 113 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
2 \$169,500 for at least 113 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
3 Moore seeks an amount not less than \$56,500 for at least 113 negligent violations of 47 U.S.C.
4 § 227(b), and not less than \$56,500 for at least 113 negligent violations of 47 U.S.C. § 227(c).

5 675. Gary Moore personally owns and uses the cellular phone number xxx-xxx-5904.
6 This number is a residential telephone subscription and is Moore's personal cell phone. This is
7 his only phone. He makes his personal calls with this phone and keeps it with him, charging it
8 in his house at night. His friends and family contact him on this number. On 12/4/2005, Moore
9 registered this number on the National Do Not Call Registry. In the four years preceding
10 1/30/2020 (the date Moore's original Complaint was filed), GoSmith sent Moore at least 119
11 telemarketing text messages at this number, 2-3 times per week for about a year. GoSmith
12 knowingly and willfully sent these text messages using an automatic telephone dialing system
13 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith
14 knowingly and willfully sent these text messages without instituting procedures that meet the
15 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
16 § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith
17 knowingly and willfully sent at least 2 text messages to Moore within a 12-month period after
18 Moore was registered on the National Do Not Call Registry, including but not limited to the
19 period between 4/24/2017 and 7/11/2017. Moore seeks an amount not less than \$178,500 for at
20 least 119 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
21 \$178,500 for at least 119 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
22 Moore seeks an amount not less than \$59,500 for at least 119 negligent violations of 47 U.S.C.
23 § 227(b), and not less than \$59,500 for at least 119 negligent violations of 47 U.S.C. § 227(c).

24 676. Peter Moore personally owns and uses the cellular phone number xxx-xxx-1018.
25 This number is a residential telephone subscription. In the four years preceding 1/30/2020 (the
26 date Moore's original Complaint was filed), GoSmith sent Moore at least 31 telemarketing text
27 messages at this number. GoSmith knowingly and willfully sent these text messages using an

1 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
2 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
3 procedures that meet the minimum standards required for telemarketing in violation of 47
4 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Moore seeks an amount not less than \$46,500 for
5 at least 31 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
6 \$46,500 for at least 31 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
7 Moore seeks an amount not less than \$15,500 for at least 31 negligent violations of 47 U.S.C. §
8 227(b), and not less than \$15,500 for at least 31 negligent violations of 47 U.S.C. § 227(c).

9 677. Kellen Moore personally owns and uses the cellular phone number xxx-xxx-0448.
10 This number is a residential telephone subscription that Moore uses strictly for his home-based
11 business. In the four years preceding 4/28/2020 (the date Moore's original Complaint was
12 filed), GoSmith sent Moore at least 784 telemarketing text messages at this number, at least 4-5
13 times a week for well over three years. GoSmith knowingly and willfully sent these text
14 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
15 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
16 text messages without instituting procedures that meet the minimum standards required for
17 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Moore seeks an
18 amount not less than \$1,176,000 for at least 784 knowing and willful violations of 47 U.S.C. §
19 227(b). Alternatively, Moore seeks an amount not less than \$392,000 for at least 784 negligent
20 violations of 47 U.S.C. § 227(b).

21 678. Todd Morgan personally owns and uses the cellular phone number xxx-xxx-7763.
22 This number is a residential telephone subscription. On 1/20/2007, Morgan registered this
23 number on the National Do Not Call Registry. In the four years preceding 4/28/2020 (the date
24 Morgan's original Complaint was filed), GoSmith sent Morgan at least 6 telemarketing text
25 messages at this number. GoSmith knowingly and willfully sent these text messages using an
26 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
27 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting

1 procedures that meet the minimum standards required for telemarketing in violation of 47
2 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
3 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Morgan
4 within a 12-month period after Morgan was registered on the National Do Not Call Registry,
5 including but not limited to the period between 4/14/2017 and 4/14/2018. Morgan seeks an
6 amount not less than \$9,000 for at least 6 knowing and willful violations of 47 U.S.C. § 227(b),
7 and an amount not less than \$9,000 for at least 6 knowing and willful violations of 47 U.S.C. §
8 227(c). Alternatively, Morgan seeks an amount not less than \$3,000 for at least 6 negligent
9 violations of 47 U.S.C. § 227(b), and not less than \$3,000 for at least 6 negligent violations of
10 47 U.S.C. § 227(c).

11 679. Michael Moronez personally owns and uses the cellular phone number xxx-xxx-
12 0308. This number is a residential telephone subscription. In the four years preceding
13 1/30/2020 (the date Moronez's original Complaint was filed), GoSmith sent Moronez at least
14 12 telemarketing text messages at this number. GoSmith knowingly and willfully sent these
15 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
16 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
17 text messages without instituting procedures that meet the minimum standards required for
18 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Moronez seeks an
19 amount not less than \$18,000 for at least 12 knowing and willful violations of 47 U.S.C. §
20 227(b), and an amount not less than \$18,000 for at least 12 knowing and willful violations of
21 47 U.S.C. § 227(c). Alternatively, Moronez seeks an amount not less than \$6,000 for at least
22 12 negligent violations of 47 U.S.C. § 227(b), and not less than \$6,000 for at least 12 negligent
23 violations of 47 U.S.C. § 227(c).

24 680. Kelly Morrison personally owns and uses the cellular phone number xxx-xxx-
25 2095. This number is a residential telephone subscription. In the four years preceding
26 1/30/2020 (the date Morrison's original Complaint was filed), GoSmith sent Morrison at least
27 15 telemarketing text messages at this number. GoSmith knowingly and willfully sent these

1 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
2 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
3 text messages without instituting procedures that meet the minimum standards required for
4 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Morrison seeks
5 an amount not less than \$22,500 for at least 15 knowing and willful violations of 47 U.S.C. §
6 227(b), and an amount not less than \$22,500 for at least 15 knowing and willful violations of
7 47 U.S.C. § 227(c). Alternatively, Morrison seeks an amount not less than \$7,500 for at least
8 15 negligent violations of 47 U.S.C. § 227(b), and not less than \$7,500 for at least 15 negligent
9 violations of 47 U.S.C. § 227(c).

10 681. David Morse personally owns and uses the cellular phone number xxx-xxx-5244.
11 This number is a residential telephone subscription and is Morse's only phone number. He uses
12 this cell phone for all his personal calls, keeps it with him, charges it in his room at night, and
13 pays for it out of his personal bank account. In the four years preceding 4/28/2020 (the date
14 Morse's original Complaint was filed), GoSmith sent Morse's personal number at least 228
15 telemarketing text messages, texting him 3-4 per week at a minimum for at least 8 months
16 straight, trying to sell him leads. Morse had not signed up with GoSmith and had no idea how
17 they got his personal number. Most of the "leads" were for window installation, which Morse
18 does not do. The texts were extremely annoying, and Morse could not get them to stop.

19 GoSmith knowingly and willfully sent these text messages using an automatic telephone
20 dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7).

21 GoSmith knowingly and willfully sent these text messages without instituting procedures that
22 meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and
23 47 C.F.R. § 64.1200(d). Morse seeks an amount not less than \$342,000 for at least 228
24 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$342,000
25 for at least 228 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Morse
26 seeks an amount not less than \$114,000 for at least 228 negligent violations of 47 U.S.C. §
27 227(b), and not less than \$114,000 for at least 228 negligent violations of 47 U.S.C. § 227(c).

682. Shawn Moshos personally owns and uses the cellular phone number xxx-xxx-3172. This number is a residential telephone subscription and is Moshos's only phone number. He uses this cell phone for all his personal calls, keeps it with him, charges it in his room at night, and pays for it out of his personal bank account. In the four years preceding 4/27/2020 (the date Moshos's original Complaint was filed), GoSmith sent Moshos's cellular number at least 326 telemarketing text messages, at least every other day for almost two years. Moshos tried several times to opt out or unsubscribe from their list, replying "STOP" at least three times, but GoSmith did not stop texting him. This annoyed Moshos considerably. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Moshos seeks an amount not less than \$489,000 for at least 326 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$489,000 for at least 326 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Moshos seeks an amount not less than \$163,000 for at least 326 negligent violations of 47 U.S.C. § 227(b), and not less than \$163,000 for at least 326 negligent violations of 47 U.S.C. § 227(c).

683. James Mott personally owns and uses the cellular phone number xxx-xxx-0642. This number is a residential telephone subscription. Mott uses this cell phone for all his personal calls, keeps it with him, charges it in his room at night, and pays for it out of his personal bank account. Mott's family does have a landline in their home, but they never use it and Mott prefers to conduct his personal calls and matters through his cell phone. In the four years preceding 4/21/2020 (the date Mott's original Complaint was filed), GoSmith sent Mott at least 16 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for

1 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Mott seeks an
2 amount not less than \$24,000 for at least 16 knowing and willful violations of 47 U.S.C. §
3 227(b), and an amount not less than \$24,000 for at least 16 knowing and willful violations of
4 47 U.S.C. § 227(c). Alternatively, Mott seeks an amount not less than \$8,000 for at least 16
5 negligent violations of 47 U.S.C. § 227(b), and not less than \$8,000 for at least 16 negligent
6 violations of 47 U.S.C. § 227(c).

7 684. Michael Moul personally owns and uses the cellular phone number xxx-xxx-
8 5630. This number is a residential telephone subscription. Moul uses this cell phone for all his
9 personal calls, keeps it with him, charges it in his room at night, and pays for it out of his
10 personal bank account, although he does use it for some work calls in his home-based business.
11 In the four years preceding 1/30/2020 (the date Moul's original Complaint was filed), GoSmith
12 sent Moul at least 137 telemarketing text messages at this number. GoSmith knowingly and
13 willfully sent these text messages using an automatic telephone dialing system in violation of
14 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully
15 sent these text messages without instituting procedures that meet the minimum standards
16 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Moul
17 seeks an amount not less than \$205,500 for at least 137 knowing and willful violations of 47
18 U.S.C. § 227(b), and an amount not less than \$205,500 for at least 137 knowing and willful
19 violations of 47 U.S.C. § 227(c). Alternatively, Moul seeks an amount not less than \$68,500
20 for at least 137 negligent violations of 47 U.S.C. § 227(b), and not less than \$68,500 for at least
21 137 negligent violations of 47 U.S.C. § 227(c).

22 685. Damian Mount personally owns and uses the cellular phone number xxx-xxx-
23 9476. This number is a residential telephone subscription. Mount uses this cell phone for all his
24 personal calls, keeps it with him, charges it on his bedstand in his room at night, and pays for it
25 out of his personal bank account. It is on a family plan with his cell phone service provider. On
26 1/16/2006, Mount registered this number on the National Do Not Call Registry. In the four
27 years preceding 1/30/2020 (the date Mount's original Complaint was filed), GoSmith sent

1 Mount at least 182 telemarketing text messages at this number. GoSmith knowingly and
2 willfully sent these text messages using an automatic telephone dialing system in violation of
3 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully
4 sent these text messages without instituting procedures that meet the minimum standards
5 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also
6 in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and
7 willfully sent at least 2 text messages to Mount within a 12-month period after Mount was
8 registered on the National Do Not Call Registry, including but not limited to the period
9 between 1/30/2016 and 1/29/2017. Mount seeks an amount not less than \$273,000 for at least
10 182 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
11 \$273,000 for at least 182 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
12 Mount seeks an amount not less than \$91,000 for at least 182 negligent violations of 47 U.S.C.
13 § 227(b), and not less than \$91,000 for at least 182 negligent violations of 47 U.S.C. § 227(c).

14 686. Josiah Elias (Joe) Moya personally owns and uses the cellular phone number xxx-
15 xxx-7999. This number is a residential telephone subscription and is Moya's only phone
16 number. He uses this cell phone for all his personal calls, keeps it with him, charges it on his
17 dresser at night, and it is on his family plan with his cell phone service provider. In the four
18 years preceding 1/30/2020 (the date Moya's original Complaint was filed), GoSmith sent Moya
19 at least 293 telemarketing text messages at this number. GoSmith knowingly and willfully sent
20 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
21 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
22 text messages without instituting procedures that meet the minimum standards required for
23 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Moya seeks an
24 amount not less than \$439,500 for at least 293 knowing and willful violations of 47 U.S.C. §
25 227(b), and an amount not less than \$439,500 for at least 293 knowing and willful violations of
26 47 U.S.C. § 227(c). Alternatively, Moya seeks an amount not less than \$146,500 for at least
27

293 negligent violations of 47 U.S.C. § 227(b), and not less than \$146,500 for at least 293 negligent violations of 47 U.S.C. § 227(c).

687. Matt Moyer personally owns and uses the cellular phone number xxx-xxx-5574. This number is a residential telephone subscription. In the four years preceding 4/22/2020 (the date Moyer's original Complaint was filed), GoSmith sent Moyer at least 206 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Moyer seeks an amount not less than \$309,000 for at least 206 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$309,000 for at least 206 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Moyer seeks an amount not less than \$103,000 for at least 206 negligent violations of 47 U.S.C. § 227(b), and not less than \$103,000 for at least 206 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Moyer at least 206 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which Moyer seeks an amount not less than \$103,000, attorney's fees, injunctive relief, and treble damages.

688. Alex Murdock personally owns and uses the cellular phone number xxx-xxx-0533. This number is a residential telephone subscription. In the four years preceding 4/22/2020 (the date Murdock's original Complaint was filed), GoSmith sent Murdock at least 3 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Murdock seeks an amount not less than \$4,500 for at least 3 knowing and willful violations of 47 U.S.C. § 227(b),

1 and an amount not less than \$4,500 for at least 3 knowing and willful violations of 47 U.S.C. §
2 227(c). Alternatively, Murdock seeks an amount not less than \$1,500 for at least 3 negligent
3 violations of 47 U.S.C. § 227(b), and not less than \$1,500 for at least 3 negligent violations of
4 47 U.S.C. § 227(c).

5 689. Susan Murphy personally owns and uses the cellular phone number xxx-xxx-
6 4457. This number is a residential telephone subscription and is Murphy's only phone number.
7 She uses this cell phone for all her personal calls, keeps it with her at all times, and charges it
8 in her room at night. She pays for it out of her personal bank account and it is on her individual
9 or family plan with her cell phone service provider. On 1/25/2006, Murphy registered this
10 number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date
11 Murphy's original Complaint was filed), GoSmith sent Murphy at least 2 telemarketing text
12 messages at this number. GoSmith knowingly and willfully sent these text messages using an
13 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
14 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
15 procedures that meet the minimum standards required for telemarketing in violation of 47
16 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
17 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Murphy
18 within a 12-month period after Murphy was registered on the National Do Not Call Registry,
19 including but not limited to the period between 5/31/2017 and 5/31/2018. Murphy seeks an
20 amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(b),
21 and an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. §
22 227(c). Alternatively, Murphy seeks an amount not less than \$1,000 for at least 2 negligent
23 violations of 47 U.S.C. § 227(b), and not less than \$1,000 for at least 2 negligent violations of
24 47 U.S.C. § 227(c).

25 690. Rebecca Murphy personally owns and uses the cellular phone number xxx-xxx-
26 1068. This number is a residential telephone subscription and is Murphy's only phone number.
27 She uses this cell phone for all her personal calls, keeps it with her at all times, and charges it

1 in her room at night. She pays for it out of her personal bank account and it is on her individual
2 or family plan with her cell phone service provider. In the four years preceding 4/22/2020 (the
3 date Murphy's original Complaint was filed), GoSmith sent Murphy's personal cell phone at
4 least 42 telemarketing text messages at this number. GoSmith sent about 3 texts a week for
5 several months, which Murphy found very annoying. GoSmith knowingly and willfully sent
6 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
7 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
8 text messages without instituting procedures that meet the minimum standards required for
9 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Murphy seeks an
10 amount not less than \$63,000 for at least 42 knowing and willful violations of 47 U.S.C. §
11 227(b), and an amount not less than \$63,000 for at least 42 knowing and willful violations of
12 47 U.S.C. § 227(c). Alternatively, Murphy seeks an amount not less than \$21,000 for at least
13 42 negligent violations of 47 U.S.C. § 227(b), and not less than \$21,000 for at least 42
14 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Murphy at least 42
15 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an
16 undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which
17 Murphy seeks an amount not less than \$21,000, attorney's fees, injunctive relief, and treble
18 damages.

19 691. Jon Mutka personally owns and uses the cellular phone number xxx-xxx-2438.
20 This number is a residential telephone subscription. On 10/1/2007, Mutka registered this
21 number on the National Do Not Call Registry. In the four years preceding 4/21/2020 (the date
22 Mutka's original Complaint was filed), GoSmith sent Mutka at least 61 telemarketing text
23 messages at this number. GoSmith knowingly and willfully sent these text messages using an
24 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
25 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
26 procedures that meet the minimum standards required for telemarketing in violation of 47
27 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47

1 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Mutka
2 within a 12-month period after Mutka was registered on the National Do Not Call Registry,
3 including but not limited to the period between 4/21/2016 and 4/21/2017. Mutka seeks an
4 amount not less than \$91,500 for at least 61 knowing and willful violations of 47 U.S.C. §
5 227(b), and an amount not less than \$91,500 for at least 61 knowing and willful violations of
6 47 U.S.C. § 227(c). Alternatively, Mutka seeks an amount not less than \$30,500 for at least 61
7 negligent violations of 47 U.S.C. § 227(b), and not less than \$30,500 for at least 61 negligent
8 violations of 47 U.S.C. § 227(c).

9 692. Shawn Nagano personally owns and uses the cellular phone number xxx-xxx-
10 9258. This number is a residential telephone subscription and is Nagano's personal cell phone
11 and his only personal phone. He uses this cell phone for all his personal calls and matters, his
12 friends and family call this phone number, and he keeps it with him and charges it in his room
13 at night. He pays for it out of his personal bank account. His business has a separate, dedicated
14 business line that ends in -1199. In the four years preceding 4/22/2020 (the date Nagano's
15 original Complaint was filed), GoSmith sent Nagano's personal cell phone at least 12
16 telemarketing text messages. GoSmith knowingly and willfully sent these text messages using
17 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
18 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
19 instituting procedures that meet the minimum standards required for telemarketing in violation
20 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Nagano seeks an amount not less than
21 \$18,000 for at least 12 knowing and willful violations of 47 U.S.C. § 227(b), and an amount
22 not less than \$18,000 for at least 12 knowing and willful violations of 47 U.S.C. § 227(c).
23 Alternatively, Nagano seeks an amount not less than \$6,000 for at least 12 negligent violations
24 of 47 U.S.C. § 227(b), and not less than \$6,000 for at least 12 negligent violations of 47 U.S.C.
25 § 227(c). Finally, GoSmith sent Nagano at least 12 commercial text messages in violation of
26 RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone
27

1 solicitations in violation of RCW § 80.36.390, for which Nagano seeks an amount not less than
2 \$6,000, attorney's fees, injunctive relief, and treble damages.

3 693. Matthew Nagy personally owns and uses the cellular phone number xxx-xxx-
4 9860. This number is a residential telephone subscription. On 11/3/2006, Nagy registered this
5 number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date
6 Nagy's original Complaint was filed), GoSmith sent Nagy at least 10 telemarketing text
7 messages at this number. GoSmith knowingly and willfully sent these text messages using an
8 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
9 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
10 procedures that meet the minimum standards required for telemarketing in violation of 47
11 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
12 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Nagy
13 within a 12-month period after Nagy was registered on the National Do Not Call Registry,
14 including but not limited to the period between 4/26/2017 and 4/26/2018. Nagy seeks an
15 amount not less than \$15,000 for at least 10 knowing and willful violations of 47 U.S.C. §
16 227(b), and an amount not less than \$15,000 for at least 10 knowing and willful violations of
17 47 U.S.C. § 227(c). Alternatively, Nagy seeks an amount not less than \$5,000 for at least 10
18 negligent violations of 47 U.S.C. § 227(b), and not less than \$5,000 for at least 10 negligent
19 violations of 47 U.S.C. § 227(c).

20 694. Daniel Neaga personally owns and uses the cellular phone number xxx-xxx-0044.
21 This number is a residential telephone subscription and it is Neaga's only phone number. He
22 uses this cell phone for all his personal calls, keeps it with him, charges it in his room at night,
23 and pays for it out of his personal bank account. In the four years preceding 4/28/2020 (the
24 date Neaga's original Complaint was filed), GoSmith sent Neaga at least 130 telemarketing text
25 messages and phone calls at this number. GoSmith knowingly and willfully sent these text
26 messages and made these calls using an automatic telephone dialing system in violation of 47
27 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully

1 sent these text messages and calls without instituting procedures that meet the minimum
2 standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. §
3 64.1200(d). Neaga seeks an amount not less than \$195,000 for at least 130 knowing and willful
4 violations of 47 U.S.C. § 227(b), and an amount not less than \$195,000 for at least 130
5 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Neaga seeks an amount
6 not less than \$65,000 for at least 130 negligent violations of 47 U.S.C. § 227(b), and not less
7 than \$65,000 for at least 130 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent
8 Neaga at least 130 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090,
9 80.36.400, and an undetermined number of telephone solicitations in violation of RCW §
10 80.36.390, for which Neaga seeks an amount not less than \$65,000, attorney's fees, injunctive
11 relief, and treble damages.

12 695. Keith Nelson personally owns and uses the cellular phone number xxx-xxx-2706.
13 This number is a residential telephone subscription. This number is a residential telephone
14 subscription and it is Nelson's only phone number. He uses this cell phone for all his personal
15 calls, keeps it with him, charges it in his room at night, and pays for it out of his personal bank
16 account. On 7/11/2013, Nelson registered this number on the National Do Not Call Registry.
17 In the four years preceding 1/30/2020 (the date Nelson's original Complaint was filed),
18 GoSmith sent Nelson at least 38 telemarketing text messages at this number. Nelson received
19 1-2 messages a week from GoSmith, telling him, for example, that someone needed help
20 painting or that they had clients who needed tile repaired. He consistently replied 'STOP' but
21 the messages kept coming. Nelson never paid for the leads and continued trying to opt-out of
22 the messages. GoSmith knowingly and willfully sent these text messages using an automatic
23 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
24 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
25 procedures that meet the minimum standards required for telemarketing in violation of 47
26 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
27 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Nelson

1 within a 12-month period after Nelson was registered on the National Do Not Call Registry,
2 including but not limited to the period between 6/16/2017 and 6/16/2018. Nelson seeks an
3 amount not less than \$57,000 for at least 38 knowing and willful violations of 47 U.S.C. §
4 227(b), and an amount not less than \$57,000 for at least 38 knowing and willful violations of
5 47 U.S.C. § 227(c). Alternatively, Nelson seeks an amount not less than \$19,000 for at least 38
6 negligent violations of 47 U.S.C. § 227(b), and not less than \$19,000 for at least 38 negligent
7 violations of 47 U.S.C. § 227(c).

8 696. Ken Nelson personally owns and uses the cellular phone number xxx-xxx-4019.
9 This number is a residential telephone subscription and it is Nelson's only phone number. He
10 uses this cell phone for all his personal calls, keeps it with him, family calls him on it, and he
11 charges it in his room at night. He uses this number with his home-based business, as well. In
12 the four years preceding 1/30/2020 (the date Nelson's original Complaint was filed), GoSmith
13 sent Nelson at least 2 telemarketing text messages at this number. GoSmith knowingly and
14 willfully sent these text messages using an automatic telephone dialing system in violation of
15 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully
16 sent these text messages without instituting procedures that meet the minimum standards
17 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d).
18 Nelson seeks an amount not less than \$3,000 for at least 2 knowing and willful violations of 47
19 U.S.C. § 227(b), and an amount not less than \$3,000 for at least 2 knowing and willful
20 violations of 47 U.S.C. § 227(c). Alternatively, Nelson seeks an amount not less than \$1,000
21 for at least 2 negligent violations of 47 U.S.C. § 227(b), and not less than \$1,000 for at least 2
22 negligent violations of 47 U.S.C. § 227(c).

23 697. Dan Nelson personally owns and uses the cellular phone number xxx-xxx-4246.
24 This number is a residential telephone subscription. In the four years preceding 1/30/2020 (the
25 date Nelson's original Complaint was filed), GoSmith sent Nelson at least 2 telemarketing text
26 messages at this number. GoSmith knowingly and willfully sent these text messages using an
27 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.

§ 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Nelson seeks an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Nelson seeks an amount not less than \$1,000 for at least 2 negligent violations of 47 U.S.C. § 227(b), and not less than \$1,000 for at least 2 negligent violations of 47 U.S.C. § 227(c).

698. Vesselin Nenchev personally owns and uses the cellular phone number xxx-xxx-3028. This number is a residential telephone subscription, but Nenchev uses it for business. On 9/17/2003, Nenchev registered this number on the National Do Not Call Registry. In the four years preceding 4/22/2020 (the date Nenchev's original Complaint was filed), GoSmith sent Nenchev's cell phone at least 22 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Nenchev within a 12-month period after Nenchev was registered on the National Do Not Call Registry, including but not limited to the period between 4/22/2016 and 4/22/2017. Nenchev seeks an amount not less than \$33,000 for at least 22 knowing and willful violations of 47 U.S.C. § 227(b). Alternatively, Nenchev seeks an amount not less than \$11,000 for at least 22 negligent violations of 47 U.S.C. § 227(b). Finally, GoSmith sent Nenchev at least 22 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, and 80.36.400, for which Nenchev seeks an amount not less than \$11,000, attorney's fees, injunctive relief, and treble damages.

699. Stephany Nguyen personally owns and uses the cellular phone number xxx-xxx-2575. This number is a residential telephone subscription. In the four years preceding

4/21/2020 (the date Nguyen's original Complaint was filed), GoSmith sent Nguyen at least 10 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Nguyen seeks an amount not less than \$15,000 for at least 10 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$15,000 for at least 10 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Nguyen seeks an amount not less than \$5,000 for at least 10 negligent violations of 47 U.S.C. § 227(b), and not less than \$5,000 for at least 10 negligent violations of 47 U.S.C. § 227(c).

700. Dean Nguyen personally owns and uses the cellular phone number xxx-xxx-8601. This number is a residential telephone subscription and it is Nguyen's only phone number. He uses this cell phone for all his personal calls, keeps it with him, charges it in his room at night, and pays for it out of his personal bank account. On 7/28/2005, Nguyen registered this number on the National Do Not Call Registry. In the four years preceding 4/22/2020 (the date Nguyen's original Complaint was filed), GoSmith sent Nguyen's personal cell phone at least 7 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Nguyen within a 12-month period after Nguyen was registered on the National Do Not Call Registry, including but not limited to the period between 4/22/2016 and 4/22/2017. Nguyen seeks an amount not less than \$10,500 for at least 7 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$10,500 for at least 7 knowing

1 and willful violations of 47 U.S.C. § 227(c). Alternatively, Nguyen seeks an amount not less
2 than \$3,500 for at least 7 negligent violations of 47 U.S.C. § 227(b), and not less than \$3,500
3 for at least 7 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Nguyen at least
4 7 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an
5 undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which
6 Nguyen seeks an amount not less than \$3,500, attorney's fees, injunctive relief, and treble
7 damages.

8 701. Ina Nicole personally owns and uses the cellular phone number xxx-xxx-9175.
9 This number is a residential telephone subscription. In the four years preceding 4/30/2020 (the
10 date Nicole's original Complaint was filed), GoSmith sent Nicole at least 8 telemarketing text
11 messages at this number. GoSmith knowingly and willfully sent these text messages using an
12 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
13 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
14 procedures that meet the minimum standards required for telemarketing in violation of 47
15 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Nicole seeks an amount not less than \$12,000 for
16 at least 8 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
17 \$12,000 for at least 8 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
18 Nicole seeks an amount not less than \$4,000 for at least 8 negligent violations of 47 U.S.C. §
19 227(b), and not less than \$4,000 for at least 8 negligent violations of 47 U.S.C. § 227(c).

20 702. Samuel Nieblas personally owns and uses the cellular phone number xxx-xxx-
21 5271. This number is a residential telephone subscription. In the four years preceding
22 4/21/2020 (the date Nieblas's original Complaint was filed), GoSmith sent Nieblas at least 104
23 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
24 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
25 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
26 text messages without instituting procedures that meet the minimum standards required for
27 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Nieblas seeks an

1 amount not less than \$156,000 for at least 104 knowing and willful violations of 47 U.S.C. §
2 227(b), and an amount not less than \$156,000 for at least 104 knowing and willful violations of
3 47 U.S.C. § 227(c). Alternatively, Nieblas seeks an amount not less than \$52,000 for at least
4 104 negligent violations of 47 U.S.C. § 227(b), and not less than \$52,000 for at least 104
5 negligent violations of 47 U.S.C. § 227(c).

6 703. Brent Nielson personally owns and uses the cellular phone number xxx-xxx-5778.
7 This number is a residential telephone subscription and it is Nielson's only phone number. He
8 uses this cell phone for all his personal calls, keeps it with him, charges it in his room at night,
9 and pays for it out of his personal bank account. On 1/20/2015, Nielson registered this number
10 on the National Do Not Call Registry. In the four years preceding 4/22/2020 (the date Nielson's
11 original Complaint was filed), GoSmith sent Nielson at least 18 telemarketing text messages to
12 his cell phone at this number. GoSmith knowingly and willfully sent these text messages using
13 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
14 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
15 instituting procedures that meet the minimum standards required for telemarketing in violation
16 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and
17 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to
18 Nielson within a 12-month period after Nielson was registered on the National Do Not Call
19 Registry, including but not limited to the period between 8/6/2017 and 8/15/2017. Nielson
20 seeks an amount not less than \$27,000 for at least 18 knowing and willful violations of 47
21 U.S.C. § 227(b), and an amount not less than \$27,000 for at least 18 knowing and willful
22 violations of 47 U.S.C. § 227(c). Alternatively, Nielson seeks an amount not less than \$9,000
23 for at least 18 negligent violations of 47 U.S.C. § 227(b), and not less than \$9,000 for at least
24 18 negligent violations of 47 U.S.C. § 227(c).

25 704. Vincent Noffleo personally owns and uses the cellular phone number xxx-xxx-
26 1972. This number is a residential telephone subscription. In the four years preceding
27 1/30/2020 (the date Noffleo's original Complaint was filed), GoSmith sent Noffleo at least 16

1 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
2 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
3 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
4 text messages without instituting procedures that meet the minimum standards required for
5 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Noffleo seeks an
6 amount not less than \$24,000 for at least 16 knowing and willful violations of 47 U.S.C. §
7 227(b), and an amount not less than \$24,000 for at least 16 knowing and willful violations of
8 47 U.S.C. § 227(c). Alternatively, Noffleo seeks an amount not less than \$8,000 for at least 16
9 negligent violations of 47 U.S.C. § 227(b), and not less than \$8,000 for at least 16 negligent
10 violations of 47 U.S.C. § 227(c).

11 705. Christina Noftsker personally owns and uses the cellular phone number xxx-xxx-
12 9928. This number is a residential telephone subscription and it is Noftsker's only phone
13 number. She uses this cell phone for all her personal calls, keeps it with her during the day, and
14 charges it in her room at night. This is the number her friends and family use to contact her. On
15 10/7/2007, Noftsker registered this number on the National Do Not Call Registry. In the four
16 years preceding 4/27/2020 (the date Noftsker's original Complaint was filed), GoSmith sent
17 Noftsker at least 9 telemarketing text messages at this number. GoSmith knowingly and
18 willfully sent these text messages using an automatic telephone dialing system in violation of
19 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully
20 sent these text messages without instituting procedures that meet the minimum standards
21 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also
22 in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and
23 willfully sent at least 2 text messages to Noftsker within a 12-month period after Noftsker was
24 registered on the National Do Not Call Registry, including but not limited to the period
25 between 2/15/2017 and 7/18/2017. Noftsker seeks an amount not less than \$13,500 for at least
26 9 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$13,500
27 for at least 9 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Noftsker

1 seeks an amount not less than \$4,500 for at least 9 negligent violations of 47 U.S.C. § 227(b),
 2 and not less than \$4,500 for at least 9 negligent violations of 47 U.S.C. § 227(c).

3 706. Henry Nott personally owns and uses the cellular phone number xxx-xxx-3559.
 4 This number is a residential telephone subscription. In the four years preceding 4/27/2020 (the
 5 date Nott's original Complaint was filed), GoSmith sent Nott at least 47 telemarketing text
 6 messages at this number. GoSmith knowingly and willfully sent these text messages using an
 7 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
 8 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
 9 procedures that meet the minimum standards required for telemarketing in violation of 47
 10 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Nott seeks an amount not less than \$70,500 for at
 11 least 47 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
 12 \$70,500 for at least 47 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
 13 Nott seeks an amount not less than \$23,500 for at least 47 negligent violations of 47 U.S.C. §
 14 227(b), and not less than \$23,500 for at least 47 negligent violations of 47 U.S.C. § 227(c).
 15 Finally, GoSmith sent Nott at least 47 commercial text messages in violation of RCW §§
 16 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in
 17 violation of RCW § 80.36.390, for which Nott seeks an amount not less than \$23,500,
 18 attorney's fees, injunctive relief, and treble damages.

19 707. Jose Nunez personally owns and uses the cellular phone number xxx-xxx-7857.
 20 This number is a residential telephone subscription. In the four years preceding 4/21/2020 (the
 21 date Nunez's original Complaint was filed), GoSmith sent Nunez at least 2 telemarketing text
 22 messages at this number. GoSmith knowingly and willfully sent these text messages using an
 23 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
 24 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
 25 procedures that meet the minimum standards required for telemarketing in violation of 47
 26 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Nunez seeks an amount not less than \$3,000 for at
 27 least 2 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than

1 \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
2 Nunez seeks an amount not less than \$1,000 for at least 2 negligent violations of 47 U.S.C. §
3 227(b), and not less than \$1,000 for at least 2 negligent violations of 47 U.S.C. § 227(c).

4 708. Gabriel Nunez personally owns and uses the cellular phone number xxx-xxx-
5 8644. This number is a residential telephone subscription and it is Nguyen's only phone
6 number. He uses this cell phone for all his personal calls, keeps it with him, charges it in his
7 room at night, and pays for it out of his personal bank account. On 9/23/2014, Nunez registered
8 this number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the
9 date Nunez's original Complaint was filed), GoSmith sent Nunez's personal cell phone at least
10 9 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
11 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
12 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
13 text messages without instituting procedures that meet the minimum standards required for
14 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
15 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
16 least 2 text messages to Nunez within a 12-month period after Nunez was registered on the
17 National Do Not Call Registry, including but not limited to the period between 6/14/2017 and
18 6/27/2017. Nunez seeks an amount not less than \$13,500 for at least 9 knowing and willful
19 violations of 47 U.S.C. § 227(b), and an amount not less than \$13,500 for at least 9 knowing
20 and willful violations of 47 U.S.C. § 227(c). Alternatively, Nunez seeks an amount not less
21 than \$4,500 for at least 9 negligent violations of 47 U.S.C. § 227(b), and not less than \$4,500
22 for at least 9 negligent violations of 47 U.S.C. § 227(c).

23 709. James Oakes personally owns and uses the cellular phone number xxx-xxx-4814.
24 This number is a residential telephone subscription and it is Oakes's only phone number. He
25 uses this cell phone for all his personal calls, keeps it with him, charges it in his room at night,
26 and pays for it out of his personal bank account. In the four years preceding 4/21/2020 (the
27 date Oakes's original Complaint was filed), GoSmith sent Oakes's personal cell phone at least

1 1,074 telemarketing text messages and phone calls at this number. GoSmith began sending the
2 messages and calls around November of 2018 and the texts and calls came from hundreds of
3 different phone numbers. GoSmith sent texts to Oakes on a daily basis and often sent more
4 than one message daily. Oakes initially tried blocking each number but soon realized this was
5 ineffective. The texts clogged up his entire inbox. Oakes continued to receive daily texts until
6 he filed this lawsuit. GoSmith knowingly and willfully sent these text messages using an
7 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
8 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
9 procedures that meet the minimum standards required for telemarketing in violation of 47
10 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Oakes seeks an amount not less than \$1,611,000
11 for at least 1,074 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less
12 than \$1,611,000 for at least 1,074 knowing and willful violations of 47 U.S.C. § 227(c).
13 Alternatively, Oakes seeks an amount not less than \$537,000 for at least 1,074 negligent
14 violations of 47 U.S.C. § 227(b), and not less than \$537,000 for at least 1,074 negligent
15 violations of 47 U.S.C. § 227(c).

16 710. Cody O'Donnell personally owns and uses the cellular phone number xxx-xxx-
17 2542. This number is a residential telephone subscription. In the four years preceding
18 4/21/2020 (the date O'Donnell's original Complaint was filed), GoSmith sent O'Donnell at least
19 38 telemarketing text messages at this number. GoSmith knowingly and willfully sent these
20 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
21 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
22 text messages without instituting procedures that meet the minimum standards required for
23 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). O'Donnell seeks
24 an amount not less than \$57,000 for at least 38 knowing and willful violations of 47 U.S.C. §
25 227(b), and an amount not less than \$57,000 for at least 38 knowing and willful violations of
26 47 U.S.C. § 227(c). Alternatively, O'Donnell seeks an amount not less than \$19,000 for at least
27

38 negligent violations of 47 U.S.C. § 227(b), and not less than \$19,000 for at least 38 negligent violations of 47 U.S.C. § 227(c).

711. Rodney Ohlinger personally owns and uses the cellular phone number xxx-xxx-7616. This number is a residential telephone subscription. In the four years preceding 4/28/2020 (the date Ohlinger's original Complaint was filed), GoSmith sent Ohlinger at least 524 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Ohlinger seeks an amount not less than \$786,000 for at least 524 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$786,000 for at least 524 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Ohlinger seeks an amount not less than \$262,000 for at least 524 negligent violations of 47 U.S.C. § 227(b), and not less than \$262,000 for at least 524 negligent violations of 47 U.S.C. § 227(c).

712. Christopher O'Leary personally owns and uses the cellular phone number xxx-xxx-1768. This number is a residential telephone subscription and it is O'Leary's only phone number. He uses this cell phone for all his personal calls, keeps it with him, charges it in his room at night, and pays for it out of his personal bank account. In the four years preceding 4/22/2020 (the date O'Leary's original Complaint was filed), GoSmith sent O'Leary at least 9 telemarketing text messages at this number, at a rate of about two texts a week. Upon information and belief, O'Leary asserts that the text messages continued weekly for six months to a year, so the actual number of violations is much higher. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). O'Leary seeks an

1 amount not less than \$13,500 for at least 9 knowing and willful violations of 47 U.S.C. §
2 227(b), and an amount not less than \$13,500 for at least 9 knowing and willful violations of 47
3 U.S.C. § 227(c). Alternatively, O'Leary seeks an amount not less than \$4,500 for at least 9
4 negligent violations of 47 U.S.C. § 227(b), and not less than \$4,500 for at least 9 negligent
5 violations of 47 U.S.C. § 227(c). Finally, GoSmith sent O'Leary at least 9 commercial text
6 messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined
7 number of telephone solicitations in violation of RCW § 80.36.390, for which O'Leary seeks
8 an amount not less than \$4,500, attorney's fees, injunctive relief, and treble damages.

9 713. Michael Olson personally owns and uses the cellular phone number xxx-xxx-
10 4040. This number is a residential telephone subscription. In the four years preceding
11 4/24/2020 (the date Olson's original Complaint was filed), GoSmith sent Olson at least 2
12 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
13 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
14 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
15 text messages without instituting procedures that meet the minimum standards required for
16 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Olson seeks an
17 amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(b),
18 and an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. §
19 227(c). Alternatively, Olson seeks an amount not less than \$1,000 for at least 2 negligent
20 violations of 47 U.S.C. § 227(b), and not less than \$1,000 for at least 2 negligent violations of
21 47 U.S.C. § 227(c).

22 714. Darren Orange personally owns and uses the cellular phone number xxx-xxx-
23 8519. This number is a residential telephone subscription and it is Orange's only phone
24 number. He uses this cell phone for all his personal calls, keeps it with him, charges it in his
25 room at night, and pays for it out of his personal bank account. On 4/7/2013, Orange registered
26 this number on the National Do Not Call Registry. In the four years preceding 4/28/2020 (the
27 date Orange's original Complaint was filed), GoSmith sent Orange at least 23 telemarketing

1 text messages at this number. GoSmith knowingly and willfully sent these text messages using
2 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
3 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
4 instituting procedures that meet the minimum standards required for telemarketing in violation
5 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and
6 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to
7 Orange within a 12-month period after Orange was registered on the National Do Not Call
8 Registry, including but not limited to the period between 8/1/2016 and 7/8/2017. Orange seeks
9 an amount not less than \$34,500 for at least 23 knowing and willful violations of 47 U.S.C. §
10 227(b), and an amount not less than \$34,500 for at least 23 knowing and willful violations of
11 47 U.S.C. § 227(c). Alternatively, Orange seeks an amount not less than \$11,500 for at least 23
12 negligent violations of 47 U.S.C. § 227(b), and not less than \$11,500 for at least 23 negligent
13 violations of 47 U.S.C. § 227(c).

14 715. Dean Orem personally owns and uses the cellular phone number xxx-xxx-0731.
15 This number is a residential telephone subscription and it is Orem's only phone number. He
16 uses this cell phone for all his personal calls, keeps it with him, charges it in his room at night,
17 and it is on his family or individual plan with his cellular phone service provider. In the four
18 years preceding 1/30/2020 (the date Orem's original Complaint was filed), GoSmith sent Orem
19 at least 102 telemarketing text messages at this number. GoSmith knowingly and willfully sent
20 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
21 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
22 text messages without instituting procedures that meet the minimum standards required for
23 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Orem seeks an
24 amount not less than \$153,000 for at least 102 knowing and willful violations of 47 U.S.C. §
25 227(b), and an amount not less than \$153,000 for at least 102 knowing and willful violations of
26 47 U.S.C. § 227(c). Alternatively, Orem seeks an amount not less than \$51,000 for at least 102
27

1 negligent violations of 47 U.S.C. § 227(b), and not less than \$51,000 for at least 102 negligent
2 violations of 47 U.S.C. § 227(c).

3 716. Shann Ormsbee personally owns and uses the cellular phone number xxx-xxx-
4 6053. This number is a residential telephone subscription. In the four years preceding
5 4/28/2020 (the date Ormsbee's original Complaint was filed), GoSmith sent Ormsbee at least
6 128 telemarketing text messages at this number. GoSmith knowingly and willfully sent these
7 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
8 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
9 text messages without instituting procedures that meet the minimum standards required for
10 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Ormsbee seeks an
11 amount not less than \$192,000 for at least 128 knowing and willful violations of 47 U.S.C. §
12 227(b), and an amount not less than \$192,000 for at least 128 knowing and willful violations of
13 47 U.S.C. § 227(c). Alternatively, Ormsbee seeks an amount not less than \$64,000 for at least
14 128 negligent violations of 47 U.S.C. § 227(b), and not less than \$64,000 for at least 128
15 negligent violations of 47 U.S.C. § 227(c).

16 717. Federico Ornelas personally owns and uses the cellular phone number xxx-xxx-
17 6448. This number is a residential telephone subscription and although Ornelas uses it
18 occasionally for business, it is his only phone. He uses this cell phone for all his personal calls,
19 keeps it with him, charges it in his room at night, and it is on his family or individual plan with
20 his cellular phone service provider. In the four years preceding 1/30/2020 (the date Ornelas's
21 original Complaint was filed), GoSmith sent Ornelas well over 200 telemarketing text
22 messages at this number, about 10-15 times per week. GoSmith knowingly and willfully sent
23 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
24 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
25 text messages without instituting procedures that meet the minimum standards required for
26 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Ornelas seeks an
27 amount not less than \$300,000 for at least 200 knowing and willful violations of 47 U.S.C. §

227(b), and an amount not less than \$300,000 for at least 200 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Ornelas seeks an amount not less than \$100,000 for at least 200 negligent violations of 47 U.S.C. § 227(b), and not less than \$100,000 for at least 200 negligent violations of 47 U.S.C. § 227(c).

718. Evan Ortiz personally owns and uses the cellular phone number xxx-xxx-1866. This number is a residential telephone subscription. In the four years preceding 4/28/2020 (the date Ortiz's original Complaint was filed), GoSmith sent Ortiz at least 60 telemarketing text messages at this number, multiple times a day, which Ortiz found very annoying. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Ortiz seeks an amount not less than \$90,000 for at least 60 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$90,000 for at least 60 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Ortiz seeks an amount not less than \$30,000 for at least 60 negligent violations of 47 U.S.C. § 227(b), and not less than \$30,000 for at least 60 negligent violations of 47 U.S.C. § 227(c).

719. Randall Overbey personally owns and uses the cellular phone number xxx-xxx-0291. This number is a residential telephone subscription. He uses this cell phone for personal calls, keeps it with him, charges it in his room at night, and it is on his family or plan with his cellular phone service provider. In the four years preceding 1/30/2020 (the date Overbey's original Complaint was filed), GoSmith sent Overbey at least 15 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Overbey seeks an amount not less than \$22,500

1 for at least 15 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less
2 than \$22,500 for at least 15 knowing and willful violations of 47 U.S.C. § 227(c).

3 Alternatively, Overbey seeks an amount not less than \$7,500 for at least 15 negligent violations
4 of 47 U.S.C. § 227(b), and not less than \$7,500 for at least 15 negligent violations of 47 U.S.C.
5 § 227(c).

6 720. Phillips Owens personally owns and uses the cellular phone number xxx-xxx-
7 6006. This number is a residential telephone subscription. In the four years preceding
8 4/28/2020 (the date Owens's original Complaint was filed), GoSmith sent Owens at least 72
9 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
10 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
11 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
12 text messages without instituting procedures that meet the minimum standards required for
13 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Owens seeks an
14 amount not less than \$108,000 for at least 72 knowing and willful violations of 47 U.S.C. §
15 227(b), and an amount not less than \$108,000 for at least 72 knowing and willful violations of
16 47 U.S.C. § 227(c). Alternatively, Owens seeks an amount not less than \$36,000 for at least 72
17 negligent violations of 47 U.S.C. § 227(b), and not less than \$36,000 for at least 72 negligent
18 violations of 47 U.S.C. § 227(c).

19 721. Erik Paavola personally owns and uses the cellular phone number xxx-xxx-7761.
20 This number is a residential telephone subscription. In the four years preceding 4/28/2020 (the
21 date Paavola's original Complaint was filed), GoSmith sent Paavola at least 39 telemarketing
22 text messages at this number. GoSmith knowingly and willfully sent these text messages using
23 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
24 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
25 instituting procedures that meet the minimum standards required for telemarketing in violation
26 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Paavola seeks an amount not less than
27 \$58,500 for at least 39 knowing and willful violations of 47 U.S.C. § 227(b), and an amount

1 not less than \$58,500 for at least 39 knowing and willful violations of 47 U.S.C. § 227(c).
2 Alternatively, Paavola seeks an amount not less than \$19,500 for at least 39 negligent
3 violations of 47 U.S.C. § 227(b), and not less than \$19,500 for at least 39 negligent violations
4 of 47 U.S.C. § 227(c).

5 722. Brandon Pack personally owns and uses the cellular phone number xxx-xxx-7246.
6 This number is a residential telephone subscription and is Pack's personal cell phone. In the
7 four years preceding 4/22/2020 (the date Pack's original Complaint was filed), GoSmith sent
8 Pack at least 204 telemarketing text messages at this number. GoSmith sent the texts almost
9 daily and sent enough texts that Pack was worried about who had his information and why he
10 was receiving these texts. When he tried blocking the numbers, GoSmith sent them from a
11 different number. It interrupted Pack's day, causing him lost time and frustration. GoSmith
12 knowingly and willfully sent these text messages using an automatic telephone dialing system
13 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith
14 knowingly and willfully sent these text messages without instituting procedures that meet the
15 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
16 § 64.1200(d). Pack seeks an amount not less than \$306,000 for at least 204 knowing and
17 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$306,000 for at least 204
18 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Pack seeks an amount not
19 less than \$102,000 for at least 204 negligent violations of 47 U.S.C. § 227(b), and not less than
20 \$102,000 for at least 204 negligent violations of 47 U.S.C. § 227(c).

21 723. Benjamin Painter personally owns and uses the cellular phone number xxx-xxx-
22 2475. This number is a residential telephone subscription. In the four years preceding
23 4/22/2020 (the date Painter's original Complaint was filed), GoSmith sent Painter at least 5
24 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
25 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
26 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
27 text messages without instituting procedures that meet the minimum standards required for

1 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Painter seeks an
2 amount not less than \$7,500 for at least 5 knowing and willful violations of 47 U.S.C. § 227(b),
3 and an amount not less than \$7,500 for at least 5 knowing and willful violations of 47 U.S.C. §
4 227(c). Alternatively, Painter seeks an amount not less than \$2,500 for at least 5 negligent
5 violations of 47 U.S.C. § 227(b), and not less than \$2,500 for at least 5 negligent violations of
6 47 U.S.C. § 227(c).

7 724. David Palanker personally owns and uses the cellular phone number xxx-xxx-
8 4490. This number is a residential telephone subscription and is Palanke's only phone. He uses
9 this cell phone for personal calls, keeps it with him, charges it in his room at night, and it is on
10 his family or plan with his cellular phone service provider. On 6/10/2009, Palanker registered
11 this number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the
12 date Palanker's original Complaint was filed), GoSmith sent Palanker at least 10 telemarketing
13 text messages at this number. GoSmith knowingly and willfully sent these text messages using
14 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
15 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
16 instituting procedures that meet the minimum standards required for telemarketing in violation
17 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and
18 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to
19 Palanker within a 12-month period after Palanker was registered on the National Do Not Call
20 Registry, including but not limited to the period between 6/12/2017 and 6/12/2018. Palanker
21 seeks an amount not less than \$15,000 for at least 10 knowing and willful violations of 47
22 U.S.C. § 227(b), and an amount not less than \$15,000 for at least 10 knowing and willful
23 violations of 47 U.S.C. § 227(c). Alternatively, Palanker seeks an amount not less than \$5,000
24 for at least 10 negligent violations of 47 U.S.C. § 227(b), and not less than \$5,000 for at least
25 10 negligent violations of 47 U.S.C. § 227(c).

26 725. Larry Palmer personally owns and uses the cellular phone number xxx-xxx-7510.
27 This number is a residential telephone subscription. In the four years preceding 1/30/2020 (the

date Palmer's original Complaint was filed), GoSmith sent Palmer at least 59 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Palmer seeks an amount not less than \$88,500 for at least 59 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$88,500 for at least 59 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Palmer seeks an amount not less than \$29,500 for at least 59 negligent violations of 47 U.S.C. § 227(b), and not less than \$29,500 for at least 59 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Palmer at least 59 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which Palmer seeks an amount not less than \$29,500, attorney's fees, injunctive relief, and treble damages.

726. Shawn Palmer personally owns and uses the cellular phone number xxx-xxx-4060. This number is a residential telephone subscription. In the four years preceding 4/24/2020 (the date Palmer's original Complaint was filed), GoSmith sent Palmer at least 47 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Palmer seeks an amount not less than \$70,500 for at least 47 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$70,500 for at least 47 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Palmer seeks an amount not less than \$23,500 for at least 47 negligent violations of 47 U.S.C. § 227(b), and not less than \$23,500 for at least 47 negligent violations of 47 U.S.C. § 227(c).

727. Joe Panettieri personally owns and uses the cellular phone number xxx-xxx-3048. This number is a residential telephone subscription. In the four years preceding 4/29/2020 (the date Panettieri's original Complaint was filed), GoSmith sent Panettieri at least 1,687 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Panettieri seeks an amount not less than \$2,530,500 for at least 1,687 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$2,530,500 for at least 1,687 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Panettieri seeks an amount not less than \$843,500 for at least 1,687 negligent violations of 47 U.S.C. § 227(b), and not less than \$843,500 for at least 1,687 negligent violations of 47 U.S.C. § 227(c).

728. Felix Pantoja personally owns and uses the cellular phone number xxx-xxx-9202. This number is a residential telephone subscription. In the four years preceding 1/30/2020 (the date Pantoja's original Complaint was filed), GoSmith sent Pantoja at least 8 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Pantoja seeks an amount not less than \$12,000 for at least 8 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$12,000 for at least 8 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Pantoja seeks an amount not less than \$4,000 for at least 8 negligent violations of 47 U.S.C. § 227(b), and not less than \$4,000 for at least 8 negligent violations of 47 U.S.C. § 227(c).

729. Lester Parillon personally owns and uses the cellular phone number xxx-xxx-8746. This number is a residential telephone subscription and Parillon's only phone number.

1 He takes all his calls with it, and it is the only phone he uses to talk to family and friends. He
 2 pays for it out of his personal account and charges it on his nightstand by his bed every night.
 3 He has a personal plan with his cellphone service provider. In the four years preceding
 4 4/27/2020 (the date Parillon's original Complaint was filed), GoSmith sent Parillon at least 5
 5 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
 6 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
 7 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
 8 text messages without instituting procedures that meet the minimum standards required for
 9 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Parillon seeks an
 10 amount not less than \$7,500 for at least 5 knowing and willful violations of 47 U.S.C. § 227(b),
 11 and an amount not less than \$7,500 for at least 5 knowing and willful violations of 47 U.S.C. §
 12 227(c). Alternatively, Parillon seeks an amount not less than \$2,500 for at least 5 negligent
 13 violations of 47 U.S.C. § 227(b), and not less than \$2,500 for at least 5 negligent violations of
 14 47 U.S.C. § 227(c).

15 730. Steven Parker personally owns and uses the cellular phone number xxx-xxx-9489.
 16 This number is a residential telephone subscription. On 12/16/2004, Parker registered this
 17 number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date
 18 Parker's original Complaint was filed), GoSmith sent Parker at least 690 telemarketing text
 19 messages at this number, about five texts daily. GoSmith knowingly and willfully sent these
 20 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
 21 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
 22 text messages without instituting procedures that meet the minimum standards required for
 23 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
 24 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
 25 least 2 text messages to Parker within a 12-month period after Parker was registered on the
 26 National Do Not Call Registry, including but not limited to the period between 6/13/2017 and
 27 6/13/2018. Parker seeks an amount not less than \$1,035,000 for at least 690 knowing and

1 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$1,035,000 for at least
2 690 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Parker seeks an
3 amount not less than \$345,000 for at least 690 negligent violations of 47 U.S.C. § 227(b), and
4 not less than \$345,000 for at least 690 negligent violations of 47 U.S.C. § 227(c).

5 731. Devin Parker personally owns and uses the cellular phone number xxx-xxx-0124.
6 This number is a residential telephone subscription and is Parker's only phone number. He
7 takes all his calls with it, and it is the only phone he uses to talk to family and friends. He pays
8 for it out of his personal account and charges it on his nightstand by his bed every night. He
9 has a personal plan with his cellphone service provider. On 10/10/2009, Parker registered this
10 number on the National Do Not Call Registry. In the four years preceding 4/22/2020 (the date
11 Parker's original Complaint was filed), GoSmith sent Parker's personal cell phone at least 208
12 telemarketing text messages and phone calls at this number. GoSmith knowingly and willfully
13 sent these text messages and phone calls using an automatic telephone dialing system in
14 violation of 47 U.S.C. 227(b)(1)(A)(iii) and 47 C.F.R. 64.1200(a)(7). GoSmith knowingly and
15 willfully sent these text messages and phone calls without instituting procedures that meet the
16 minimum standards required for telemarketing in violation of 47 U.S.C. 227(c) and 47 C.F.R.
17 64.1200(d). Also in violation of 47 U.S.C. 227(c) and 47 C.F.R. 64.1200(c), GoSmith
18 knowingly and willfully sent at least 2 text messages and/or calls to Parker within a 12-month
19 period after Parker was registered on the National Do Not Call Registry, including but not
20 limited to the period between 4/22/2016 and 4/22/2017. Parker seeks an amount not less than
21 \$312,000 for at least 208 knowing and willful violations of 47 U.S.C. 227(b), and an amount
22 not less than \$312,000 for at least 208 knowing and willful violations of 47 U.S.C. 227(c).
23 Alternatively, Parker seeks an amount not less than \$104,000 for at least 208 negligent
24 violations of 47 U.S.C. 227(b), and not less than \$104,000 for at least 208 negligent violations
25 of 47 U.S.C. 227(c).

26 732. David Parnham personally owns and uses the cellular phone number xxx-xxx-
27 5805. This number is a residential telephone subscription. In the four years preceding

1 4/22/2020 (the date Parnham's original Complaint was filed), GoSmith sent Parnham at least
2 540 telemarketing text messages at this number. GoSmith knowingly and willfully sent these
3 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
4 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
5 text messages without instituting procedures that meet the minimum standards required for
6 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Parnham seeks an
7 amount not less than \$810,000 for at least 540 knowing and willful violations of 47 U.S.C. §
8 227(b), and an amount not less than \$810,000 for at least 540 knowing and willful violations of
9 47 U.S.C. § 227(c). Alternatively, Parnham seeks an amount not less than \$270,000 for at least
10 540 negligent violations of 47 U.S.C. § 227(b), and not less than \$270,000 for at least 540
11 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Parnham at least 540
12 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an
13 undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which
14 Parnham seeks an amount not less than \$270,000, attorney's fees, injunctive relief, and treble
15 damages.

16 733. Larry Patenaude personally owns and uses the cellular phone number xxx-xxx-
17 1297. This number is a residential telephone subscription. In the four years preceding
18 1/30/2020 (the date Patenaude's original Complaint was filed), GoSmith sent Patenaude at least
19 58 telemarketing text messages at this number. GoSmith knowingly and willfully sent these
20 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
21 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
22 text messages without instituting procedures that meet the minimum standards required for
23 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Patenaude seeks
24 an amount not less than \$87,000 for at least 58 knowing and willful violations of 47 U.S.C. §
25 227(b), and an amount not less than \$87,000 for at least 58 knowing and willful violations of
26 47 U.S.C. § 227(c). Alternatively, Patenaude seeks an amount not less than \$29,000 for at least
27

58 negligent violations of 47 U.S.C. § 227(b), and not less than \$29,000 for at least 58 negligent violations of 47 U.S.C. § 227(c).

734. Tom Patterson personally owns and uses the cellular phone number xxx-xxx-6801. This number is a residential telephone subscription. In the four years preceding 1/30/2020 (the date Patterson's original Complaint was filed), GoSmith sent Patterson at least 254 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Patterson seeks an amount not less than \$381,000 for at least 254 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$381,000 for at least 254 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Patterson seeks an amount not less than \$127,000 for at least 254 negligent violations of 47 U.S.C. § 227(b), and not less than \$127,000 for at least 254 negligent violations of 47 U.S.C. § 227(c).

735. Jacob Payne personally owns and uses the cellular phone number xxx-xxx-8909. This number is a residential telephone subscription and was Payne's only phone number for many years until 2020. He took all his calls with it, and it was the only phone he used to talk to family and friends. He carried it with him and charged it on his nightstand by his bed every night. He has a family plan with his cellphone service provider. On 8/28/2010, Payne registered this number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date Payne's original Complaint was filed), GoSmith sent Payne at least 7 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation

1 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
2 least 2 text messages to Payne within a 12-month period after Payne was registered on the
3 National Do Not Call Registry, including but not limited to the period between 4/26/2017 and
4 8/4/2017. Payne seeks an amount not less than \$10,500 for at least 7 knowing and willful
5 violations of 47 U.S.C. § 227(b), and an amount not less than \$10,500 for at least 7 knowing
6 and willful violations of 47 U.S.C. § 227(c). Alternatively, Payne seeks an amount not less
7 than \$3,500 for at least 7 negligent violations of 47 U.S.C. § 227(b), and not less than \$3,500
8 for at least 7 negligent violations of 47 U.S.C. § 227(c).

9 736. Adam Pearson personally owns and uses the cellular phone number xxx-xxx-
10 4168. This number is a residential telephone subscription and is Pearson's only phone. He has
11 it on a family plan with his cellular phone service provider and keeps it charging next to his
12 night stand every night. It is the phone number he uses to conduct all his personal calls and
13 matters. In the four years preceding 4/28/2020 (the date Pearson's original Complaint was
14 filed), GoSmith sent Pearson at least 45 telemarketing text messages and an unknown number
15 of telemarketing calls at this number. GoSmith called and texted Pearson at all hours of the day
16 and night, a couple of times a week, at first. Then it slowed down for a while and then started
17 back up a couple of times a week for a long period. GoSmith badgered Pearson to the point that
18 he texted them back, telling them to stop harassing him, but GoSmith kept contacting him by
19 phone and text. GoSmith knowingly and willfully sent these text messages using an automatic
20 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
21 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
22 procedures that meet the minimum standards required for telemarketing in violation of 47
23 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Pearson seeks an amount not less than \$67,500 for
24 at least 45 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
25 \$67,500 for at least 45 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
26 Pearson seeks an amount not less than \$22,500 for at least 45 negligent violations of 47 U.S.C.
27 § 227(b), and not less than \$22,500 for at least 45 negligent violations of 47 U.S.C. § 227(c).

737. Gale Pelan personally owns and uses the cellular phone number xxx-xxx-4356. This number is a residential telephone subscription. On 8/7/2008, Pelan registered this number on the National Do Not Call Registry. In the four years preceding 4/22/2020 (the date Pelan's original Complaint was filed), GoSmith sent Pelan at least 4 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Pelan within a 12-month period after Pelan was registered on the National Do Not Call Registry, including but not limited to the period between 4/22/2016 and 4/22/2017. Pelan seeks an amount not less than \$6,000 for at least 4 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$6,000 for at least 4 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Pelan seeks an amount not less than \$2,000 for at least 4 negligent violations of 47 U.S.C. § 227(b), and not less than \$2,000 for at least 4 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Pelan at least 4 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which Pelan seeks an amount not less than \$2,000, attorney's fees, injunctive relief, and treble damages.

738. Lee Pennington personally owns and uses the cellular phone number xxx-xxx-6186. This number is a residential telephone subscription. In the four years preceding 1/30/2020 (the date Pennington's original Complaint was filed), GoSmith sent Pennington at least 3 telemarketing text messages per day at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for

1 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Pennington seeks
2 an amount not less than \$1,180,500 for at least 787 knowing and willful violations of 47 U.S.C.
3 § 227(b), and an amount not less than \$1,180,500 for at least 787 knowing and willful
4 violations of 47 U.S.C. § 227(c). Alternatively, Pennington seeks an amount not less than
5 \$393,500 for at least 787 negligent violations of 47 U.S.C. § 227(b), and not less than
6 \$393,500 for at least 787 negligent violations of 47 U.S.C. § 227(c).

7 739. Arnulfo Perez personally owns and uses the cellular phone number xxx-xxx-1482.
8 This number is a residential telephone subscription. In the four years preceding 1/30/2020 (the
9 date Perez's original Complaint was filed), GoSmith sent Perez at least 118 telemarketing text
10 messages and calls at this number, up to 4 times daily from different numbers, all attempting to
11 sell Defendants' services. GoSmith knowingly and willfully sent these text messages using an
12 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
13 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
14 procedures that meet the minimum standards required for telemarketing in violation of 47
15 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Perez seeks an amount not less than \$177,000 for
16 at least 118 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
17 \$177,000 for at least 118 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
18 Perez seeks an amount not less than \$59,000 for at least 118 negligent violations of 47 U.S.C. §
19 227(b), and not less than \$59,000 for at least 118 negligent violations of 47 U.S.C. § 227(c).

20 740. Carlos Perez personally owns and uses the cellular phone number xxx-xxx-4510.
21 This number is a residential telephone subscription. In the four years preceding 1/30/2020 (the
22 date Perez's original Complaint was filed), GoSmith sent Perez at least 105 telemarketing text
23 messages at this number and an unknown number of telemarketing calls, sometimes up to five
24 times a day, all from local numbers and soliciting Perez to buy Porch's and/or GoSmith's
25 services and to purchase leads or advertise through Defendants. Perez is unsure exactly how
26 many calls he received, but found the daily harassment annoying and invasive and complained
27 to his wife. The calls stopped suddenly one day. GoSmith knowingly and willfully sent these

1 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
2 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
3 text messages without instituting procedures that meet the minimum standards required for
4 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Perez seeks an
5 amount not less than \$157,500 for at least 105 knowing and willful violations of 47 U.S.C. §
6 227(b), and an amount not less than \$157,500 for at least 105 knowing and willful violations of
7 47 U.S.C. § 227(c). Alternatively, Perez seeks an amount not less than \$52,500 for at least 105
8 negligent violations of 47 U.S.C. § 227(b), and not less than \$52,500 for at least 105 negligent
9 violations of 47 U.S.C. § 227(c).

10 741. David Perez personally owns and uses the cellular phone number xxx-xxx-8245.
11 This number is a residential telephone subscription. On 5/29/2010, Perez registered this
12 number on the National Do Not Call Registry. In the four years preceding 4/28/2020 (the date
13 Perez's original Complaint was filed), GoSmith sent Perez at least 14 telemarketing text
14 messages at this number. GoSmith knowingly and willfully sent these text messages using an
15 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
16 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
17 procedures that meet the minimum standards required for telemarketing in violation of 47
18 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
19 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Perez
20 within a 12-month period after Perez was registered on the National Do Not Call Registry,
21 including but not limited to the period between 6/21/2016 and 6/21/2017. Perez seeks an
22 amount not less than \$21,000 for at least 14 knowing and willful violations of 47 U.S.C. §
23 227(b), and an amount not less than \$21,000 for at least 14 knowing and willful violations of
24 47 U.S.C. § 227(c). Alternatively, Perez seeks an amount not less than \$7,000 for at least 14
25 negligent violations of 47 U.S.C. § 227(b), and not less than \$7,000 for at least 14 negligent
26 violations of 47 U.S.C. § 227(c).

1 742. Ammon Petersen personally owns and uses the cellular phone number xxx-xxx-
2 8438. This number is a residential telephone subscription and is different from Ammon's
3 telephone that is used solely for business. Petersen uses this cell phone to communicate with
4 family and friends and keeps this cell phone on him at all times. This cell phone is registered
5 on a family plan with Petersen's family. In the four years preceding 1/30/2020 (the date
6 Petersen's original Complaint was filed), GoSmith sent Petersen at least 37 telemarketing text
7 messages at this number. GoSmith knowingly and willfully sent these text messages using an
8 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
9 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
10 procedures that meet the minimum standards required for telemarketing in violation of 47
11 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Petersen seeks an amount not less than \$55,500
12 for at least 37 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less
13 than \$55,500 for at least 37 knowing and willful violations of 47 U.S.C. § 227(c).
14 Alternatively, Petersen seeks an amount not less than \$18,500 for at least 37 negligent
15 violations of 47 U.S.C. § 227(b), and not less than \$18,500 for at least 37 negligent violations
16 of 47 U.S.C. § 227(c).

17 743. Shane Petersen personally owns and uses the cellular phone number xxx-xxx-
18 2797. This number is a residential telephone subscription. In the four years preceding
19 4/28/2020 (the date Petersen's original Complaint was filed), GoSmith sent Petersen at least 5
20 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
21 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
22 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
23 text messages without instituting procedures that meet the minimum standards required for
24 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Petersen seeks an
25 amount not less than \$7,500 for at least 5 knowing and willful violations of 47 U.S.C. § 227(b),
26 and an amount not less than \$7,500 for at least 5 knowing and willful violations of 47 U.S.C. §
27 227(c). Alternatively, Petersen seeks an amount not less than \$2,500 for at least 5 negligent

1 violations of 47 U.S.C. § 227(b), and not less than \$2,500 for at least 5 negligent violations of
2 47 U.S.C. § 227(c).

3 744. George Peterson personally owns and uses the cellular phone number xxx-xxx-
4 8438. This number is a residential telephone subscription. In the four years preceding
5 1/30/2020 (the date Peterson's original Complaint was filed), GoSmith sent Peterson at least
6 141 telemarketing text messages at this number. GoSmith knowingly and willfully sent these
7 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
8 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
9 text messages without instituting procedures that meet the minimum standards required for
10 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Peterson seeks an
11 amount not less than \$211,500 for at least 141 knowing and willful violations of 47 U.S.C. §
12 227(b), and an amount not less than \$211,500 for at least 141 knowing and willful violations of
13 47 U.S.C. § 227(c). Alternatively, Peterson seeks an amount not less than \$70,500 for at least
14 141 negligent violations of 47 U.S.C. § 227(b), and not less than \$70,500 for at least 141
15 negligent violations of 47 U.S.C. § 227(c).

16 745. Darryl Peterson personally owns and uses the cellular phone number xxx-xxx-
17 4581. This number is a residential telephone subscription and is Peterson's only telephone.
18 Peterson uses this cell phone to communicate with family and friends and keeps this cell phone
19 on him at all times. Peterson charges this phone near his bedside at night. On 1/27/2015,
20 Peterson registered this number on the National Do Not Call Registry. In the four years
21 preceding 4/24/2020 (the date Peterson's original Complaint was filed), GoSmith sent Peterson
22 at least 20 telemarketing text messages at this number. GoSmith knowingly and willfully sent
23 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
24 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
25 text messages without instituting procedures that meet the minimum standards required for
26 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
27 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at

1 least 2 text messages to Peterson within a 12-month period after Peterson was registered on the
2 National Do Not Call Registry, including but not limited to the period between 1/9/2017 and
3 1/9/2018. Peterson seeks an amount not less than \$30,000 for at least 20 knowing and willful
4 violations of 47 U.S.C. § 227(b), and an amount not less than \$30,000 for at least 20 knowing
5 and willful violations of 47 U.S.C. § 227(c). Alternatively, Peterson seeks an amount not less
6 than \$10,000 for at least 20 negligent violations of 47 U.S.C. § 227(b), and not less than
7 \$10,000 for at least 20 negligent violations of 47 U.S.C. § 227(c).

8 746. John Petree personally owns and uses the cellular phone number xxx-xxx-7370.
9 This number is a residential telephone subscription. In the four years preceding 1/30/2020 (the
10 date Petree's original Complaint was filed), GoSmith sent Petree at least 27 telemarketing text
11 messages at this number. GoSmith knowingly and willfully sent these text messages using an
12 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
13 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
14 procedures that meet the minimum standards required for telemarketing in violation of 47
15 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Petree seeks an amount not less than \$40,500 for
16 at least 27 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
17 \$40,500 for at least 27 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
18 Petree seeks an amount not less than \$13,500 for at least 27 negligent violations of 47 U.S.C. §
19 227(b), and not less than \$13,500 for at least 27 negligent violations of 47 U.S.C. § 227(c).

20 747. Maria Petromanolakis personally owns and uses the cellular phone number xxx-
21 xxx-7077. This number is a residential telephone subscription which Petromanolakis does not
22 use for business. Petromanolakis uses this cell phone to communicate with her family and
23 friends and keeps this phone on her at all times. Petromanolakis pays for this cell phone with
24 funds out of her personal bank account. Petromanolakis charges this phone near her bedside at
25 night. On 10/9/2012, Petromanolakis registered this number on the National Do Not Call
26 Registry. In the four years preceding 1/30/2020 (the date Petromanolakis's original Complaint
27 was filed), GoSmith sent Petromanolakis at least 15 telemarketing text messages at this

1 number. GoSmith knowingly and willfully sent these text messages using an automatic
2 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
3 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
4 procedures that meet the minimum standards required for telemarketing in violation of 47
5 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
6 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to
7 Petromanolakis within a 12-month period after Petromanolakis was registered on the National
8 Do Not Call Registry, including but not limited to the period between 6/16/2017 and 7/5/2017.
9 Petromanolakis seeks an amount not less than \$22,500 for at least 15 knowing and willful
10 violations of 47 U.S.C. § 227(b), and an amount not less than \$22,500 for at least 15 knowing
11 and willful violations of 47 U.S.C. § 227(c). Alternatively, Petromanolakis seeks an amount
12 not less than \$7,500 for at least 15 negligent violations of 47 U.S.C. § 227(b), and not less than
13 \$7,500 for at least 15 negligent violations of 47 U.S.C. § 227(c).

14 748. Daniel Phinney personally owns and uses the cellular phone number xxx-xxx-
15 6973. This number is a residential telephone subscription and Phinney's only phone. Phinney
16 uses this phone to communicate with family and friends and keeps this phone on him at all
17 times. In the four years preceding 4/27/2020 (the date Phinney's original Complaint was filed),
18 GoSmith sent Phinney at least 13 telemarketing text messages at this number. GoSmith
19 knowingly and willfully sent these text messages using an automatic telephone dialing system
20 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith
21 knowingly and willfully sent these text messages without instituting procedures that meet the
22 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
23 § 64.1200(d). Phinney seeks an amount not less than \$19,500 for at least 13 knowing and
24 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$19,500 for at least 13
25 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Phinney seeks an amount
26 not less than \$6,500 for at least 13 negligent violations of 47 U.S.C. § 227(b), and not less than
27 \$6,500 for at least 13 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Phelps

1 at least 25 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090,
2 80.36.400, and an undetermined number of telephone solicitations in violation of RCW §
3 80.36.390, for which Phelps seeks an amount not less than \$12,500, attorney's fees, injunctive
4 relief, and treble damages.

5 749. Michael Philpot personally owns and uses the cellular phone number xxx-xxx-
6 1139. This number is a residential telephone subscription. On 6/3/2005, Philpot registered this
7 number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date
8 Philpot's original Complaint was filed), GoSmith sent Philpot at least 6 telemarketing text
9 messages at this number. GoSmith knowingly and willfully sent these text messages using an
10 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
11 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
12 procedures that meet the minimum standards required for telemarketing in violation of 47
13 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
14 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Philpot
15 within a 12-month period after Philpot was registered on the National Do Not Call Registry,
16 including but not limited to the period between 6/22/2017 and 9/21/2017. Philpot seeks an
17 amount not less than \$9,000 for at least 6 knowing and willful violations of 47 U.S.C. § 227(b),
18 and an amount not less than \$9,000 for at least 6 knowing and willful violations of 47 U.S.C. §
19 227(c). Alternatively, Philpot seeks an amount not less than \$3,000 for at least 6 negligent
20 violations of 47 U.S.C. § 227(b), and not less than \$3,000 for at least 6 negligent violations of
21 47 U.S.C. § 227(c).

22 750. Daniel Phinney personally owns and uses the cellular phone number xxx-xxx-
23 6973. This number is a residential telephone subscription. This is Phinney's personal cellphone
24 and his only number. He pays for it out of his personal bank account, has an individual/family
25 plan with his cellphone service provider, carries the phone with him, makes all his personal
26 calls with it, and charges it in his room at night. In the four years preceding 4/27/2020 (the date
27 Phinney's original Complaint was filed), GoSmith sent Phinney at least 13 telemarketing text

1 messages at this number. GoSmith knowingly and willfully sent these text messages using an
2 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
3 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
4 procedures that meet the minimum standards required for telemarketing in violation of 47
5 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Phinney seeks an amount not less than \$19,500
6 for at least 13 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less
7 than \$19,500 for at least 13 knowing and willful violations of 47 U.S.C. § 227(c).

8 Alternatively, Phinney seeks an amount not less than \$6,500 for at least 13 negligent violations
9 of 47 U.S.C. § 227(b), and not less than \$6,500 for at least 13 negligent violations of 47 U.S.C.
10 § 227(c). Finally, GoSmith sent Phinney at least 13 commercial text messages in violation of
11 RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone
12 solicitations in violation of RCW § 80.36.390, for which Phinney seeks an amount not less
13 than \$6,500, attorney's fees, injunctive relief, and treble damages.

14 751. Matthew Pirone personally owns and uses the cellular phone number xxx-xxx-
15 8181. This number is a residential telephone subscription that Pirone uses for work. In the four
16 years preceding 1/30/2020 (the date Pirone's original Complaint was filed), GoSmith sent
17 Pirone at least 30 telemarketing text messages at this number. GoSmith knowingly and
18 willfully sent these text messages using an automatic telephone dialing system in violation of
19 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). Pirone seeks an amount not less
20 than \$45,000 for at least 30 knowing and willful violations of 47 U.S.C. § 227(b).

21 Alternatively, Pirone seeks an amount not less than \$15,000 for at least 30 negligent violations
22 of 47 U.S.C. § 227(b).

23 752. Jim Pitzer personally owns and uses the cellular phone number xxx-xxx-9159.
24 Pitzer uses this phone for work. In the four years preceding 4/22/2020 (the date Pitzer's original
25 Complaint was filed), GoSmith sent Pitzer at least 83 telemarketing text messages at this
26 number. GoSmith knowingly and willfully sent these text messages using an automatic
27 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §

64.1200(a)(7). Pitzer seeks an amount not less than \$124,500 for at least 83 knowing and willful violations of 47 U.S.C. § 227(b). Alternatively, Pitzer seeks an amount not less than \$41,500 for at least 83 negligent violations of 47 U.S.C. § 227(b). Finally, GoSmith sent Pitzer at least 83 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, and 80.36.400, for which Pitzer seeks an amount not less than \$41,500, attorney's fees, injunctive relief, and treble damages.

753. Richard Poe personally owns and uses the cellular phone number xxx-xxx-4049. This number is a residential telephone subscription. On 2/3/2004, Poe registered this number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date Poe's original Complaint was filed), GoSmith sent Poe at least 4 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Poe within a 12-month period after Poe was registered on the National Do Not Call Registry, including but not limited to the period between 6/14/2017 and 7/8/2017. Poe seeks an amount not less than \$6,000 for at least 4 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$6,000 for at least 4 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Poe seeks an amount not less than \$2,000 for at least 4 negligent violations of 47 U.S.C. § 227(b), and not less than \$2,000 for at least 4 negligent violations of 47 U.S.C. § 227(c).

754. Doug Politi personally owns and uses the cellular phone number xxx-xxx-9590. This number is a residential telephone subscription that Politi keeps on him at all times. Politi uses this cell phone to communicate with family and friends. Politi pays for this cell phone with funds from his personal bank account. Politi charges this cell phone by his bedside at

1 night. In the four years preceding 4/29/2020 (the date Politi's original Complaint was filed),
2 GoSmith sent Politi at least 156 telemarketing text messages at this number. GoSmith
3 knowingly and willfully sent these text messages using an automatic telephone dialing system
4 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith
5 knowingly and willfully sent these text messages without instituting procedures that meet the
6 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
7 § 64.1200(d). Politi seeks an amount not less than \$234,000 for at least 156 knowing and
8 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$234,000 for at least 156
9 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Politi seeks an amount not
10 less than \$78,000 for at least 156 negligent violations of 47 U.S.C. § 227(b), and not less than
11 \$78,000 for at least 156 negligent violations of 47 U.S.C. § 227(c).

12 755. Barry Pollock personally owns and uses the cellular phone number xxx-xxx-9318
13 . This number is a residential telephone subscription and is separate from Pollock's business
14 telephone number xxx-xxx-2814. Pollock uses this cell phone to communicate with his family
15 and friends and keeps this cell phone on him at all times. Pollock pays for this cell phone with
16 funds out of his personal bank account. Pollock charges this cell phone near his bedside at
17 night. In the four years preceding 1/30/2020 (the date Pollock's original Complaint was filed),
18 GoSmith sent Pollock at least 18 telemarketing text messages at this number. GoSmith
19 knowingly and willfully sent these text messages using an automatic telephone dialing system
20 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith
21 knowingly and willfully sent these text messages without instituting procedures that meet the
22 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
23 § 64.1200(d). Pollock seeks an amount not less than \$27,000 for at least 18 knowing and
24 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$27,000 for at least 18
25 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Pollock seeks an amount
26 not less than \$9,000 for at least 18 negligent violations of 47 U.S.C. § 227(b), and not less than
27 \$9,000 for at least 18 negligent violations of 47 U.S.C. § 227(c).

1 756. Nathan Pool personally owns and uses the cellular phone number xxx-xxx-6388.
2 This number is a residential telephone subscription. On 3/10/2009, Pool registered this number
3 on the National Do Not Call Registry. In the four years preceding 4/28/2020 (the date Pool's
4 original Complaint was filed), GoSmith sent Pool at least 9 telemarketing text messages at this
5 number. GoSmith knowingly and willfully sent these text messages using an automatic
6 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
7 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
8 procedures that meet the minimum standards required for telemarketing in violation of 47
9 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
10 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Pool
11 within a 12-month period after Pool was registered on the National Do Not Call Registry,
12 including but not limited to the period between 6/25/2017 and 7/3/2017. Pool seeks an amount
13 not less than \$13,500 for at least 9 knowing and willful violations of 47 U.S.C. § 227(b), and
14 an amount not less than \$13,500 for at least 9 knowing and willful violations of 47 U.S.C. §
15 227(c). Alternatively, Pool seeks an amount not less than \$4,500 for at least 9 negligent
16 violations of 47 U.S.C. § 227(b), and not less than \$4,500 for at least 9 negligent violations of
17 47 U.S.C. § 227(c).

18 757. Kelly Pope personally owns and uses the cellular phone number xxx-xxx-3887.
19 This number is a residential telephone subscription. On 10/18/2016, Pope registered this
20 number on the National Do Not Call Registry. In the four years preceding 4/22/2020 (the date
21 Pope's original Complaint was filed), GoSmith sent Pope at least 23 telemarketing text
22 messages at this number. GoSmith knowingly and willfully sent these text messages using an
23 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
24 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
25 procedures that meet the minimum standards required for telemarketing in violation of 47
26 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
27 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Pope

1 within a 12-month period after Pope was registered on the National Do Not Call Registry,
2 including but not limited to the period between 1/28/2017 and 9/28/2017. Pope seeks an
3 amount not less than \$34,500 for at least 23 knowing and willful violations of 47 U.S.C. §
4 227(b), and an amount not less than \$34,500 for at least 23 knowing and willful violations of
5 47 U.S.C. § 227(c). Alternatively, Pope seeks an amount not less than \$11,500 for at least 23
6 negligent violations of 47 U.S.C. § 227(b), and not less than \$11,500 for at least 23 negligent
7 violations of 47 U.S.C. § 227(c).

8 758. Crystal Porter personally owns and uses the cellular phone number xxx-xxx-0584.
9 This number is a residential telephone subscription and Porter's only cell phone. Porter uses
10 this cell phone to communicate with family and friends and keeps this cell phone on her at all
11 times. Porter pays for this cell phone with funds out of her personal bank account. Porter
12 charges this cell phone by her bedside at night. In the four years preceding 1/30/2020 (the date
13 Porter's original Complaint was filed), GoSmith sent Porter at least 9 telemarketing text
14 messages at this number. GoSmith knowingly and willfully sent these text messages using an
15 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
16 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
17 procedures that meet the minimum standards required for telemarketing in violation of 47
18 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Porter seeks an amount not less than \$13,500 for
19 at least 9 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
20 \$13,500 for at least 9 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
21 Porter seeks an amount not less than \$4,500 for at least 9 negligent violations of 47 U.S.C. §
22 227(b), and not less than \$4,500 for at least 9 negligent violations of 47 U.S.C. § 227(c).

23 759. David Povelite personally owns and uses the cellular phone number xxx-xxx-
24 7069. This number is a residential telephone subscription. In the four years preceding
25 4/30/2020 (the date Povelite's original Complaint was filed), GoSmith sent Povelite at least 2
26 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
27 messages using an automatic telephone dialing system in violation of 47 U.S.C. §

227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Povelite seeks an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Povelite seeks an amount not less than \$1,000 for at least 2 negligent violations of 47 U.S.C. § 227(b), and not less than \$1,000 for at least 2 negligent violations of 47 U.S.C. § 227(c).

760. Shiloh Powers personally owns and uses the cellular phone number xxx-xxx-5611. This number is a residential telephone subscription which Powers uses for personal uses. Powers communicates uses this cell phone to communicate with family and friends and keeps this cell phone on him at all times. Powers pays for this cell phone out of his personal bank account. In the four years preceding 4/22/2020 (the date Powers's original Complaint was filed), GoSmith sent Powers at least 82 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Powers seeks an amount not less than \$123,000 for at least 82 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$123,000 for at least 82 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Powers seeks an amount not less than \$41,000 for at least 82 negligent violations of 47 U.S.C. § 227(b), and not less than \$41,000 for at least 82 negligent violations of 47 U.S.C. § 227(c).

761. Christopher Oetzel personally owns and uses the cellular phone number xxx-xxx-4325. This number is a residential telephone subscription And Oetzel's personal cell phone. Oetzel uses this cell phone to communicate with family and friends and keeps this cell phone on him at all times. Oetzel pays for this cell phone with funds from his personal bank account.

1 In the four years preceding 4/27/2020 (the date Oetzel's original Complaint was filed),
2 GoSmith sent Oetzel at least 79 telemarketing text messages and phone calls at this number.
3 GoSmith regularly called Oetzel after 8:00PM. Oetzel complaint to his wife and business
4 partner about the text messages and phone calls which he tried tirelessly to stop. GoSmith
5 knowingly and willfully sent these text messages using an automatic telephone dialing system
6 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith
7 knowingly and willfully sent these text messages without instituting procedures that meet the
8 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
9 § 64.1200(d). Oetzel seeks an amount not less than \$118,500 for at least 79 knowing and
10 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$118,500 for at least 79
11 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Oetzel seeks an amount
12 not less than \$39,500 for at least 79 negligent violations of 47 U.S.C. § 227(b), and not less
13 than \$39,500 for at least 79 negligent violations of 47 U.S.C. § 227(c).

14 762. Daniel Priedigkeit personally owns and uses the cellular phone number xxx-xxx-
15 8457. This number is a residential telephone subscription. In the four years preceding
16 4/21/2020 (the date Priedigkeit's original Complaint was filed), GoSmith sent Priedigkeit at
17 least 47 telemarketing text messages at this number. GoSmith knowingly and willfully sent
18 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
19 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). Priedigkeit seeks an amount not less than
20 \$70,500 for at least 47 knowing and willful violations of 47 U.S.C. § 227(b). Alternatively,
21 Priedigkeit seeks an amount not less than \$23,500 for at least 47 negligent violations of 47
22 U.S.C. § 227(b).

23 763. Jeremie Prock personally owns and uses the cellular phone number xxx-xxx-
24 0333. This number is a residential telephone subscription. In the four years preceding
25 4/27/2020 (the date Prock's original Complaint was filed), GoSmith sent Prock at least 95
26 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
27 messages using an automatic telephone dialing system in violation of 47 U.S.C. §

227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Prock seeks an amount not less than \$142,500 for at least 95 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$142,500 for at least 95 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Prock seeks an amount not less than \$47,500 for at least 95 negligent violations of 47 U.S.C. § 227(b), and not less than \$47,500 for at least 95 negligent violations of 47 U.S.C. § 227(c).

764. Eric Proctor personally owns and uses the cellular phone number xxx-xxx-2105. This number is a residential telephone subscription and Proctor's only telephone. Proctor uses this cell phone to communicate with family and friends and carries this cell phone with him at all times. Proctor pays for this cell phone with funds from his personal bank account. Proctor charges this cell phone near his bedside at night. In the four years preceding 4/27/2020 (the date Proctor's original Complaint was filed), GoSmith sent Proctor at least 8 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Proctor seeks an amount not less than \$12,000 for at least 8 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$12,000 for at least 8 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Proctor seeks an amount not less than \$4,000 for at least 8 negligent violations of 47 U.S.C. § 227(b), and not less than \$4,000 for at least 8 negligent violations of 47 U.S.C. § 227(c).

765. Shane Prouty personally owns and uses the cellular phone number xxx-xxx-0777. This number is a residential telephone subscription. In the four years preceding 1/30/2020 (the date Prouty's original Complaint was filed), GoSmith sent Prouty at least 3 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an

1 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
2 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
3 procedures that meet the minimum standards required for telemarketing in violation of 47
4 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Prouty seeks an amount not less than \$4,500 for at
5 least 3 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
6 \$4,500 for at least 3 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
7 Prouty seeks an amount not less than \$1,500 for at least 3 negligent violations of 47 U.S.C. §
8 227(b), and not less than \$1,500 for at least 3 negligent violations of 47 U.S.C. § 227(c).

9 766. D S Purdum personally owns and uses the cellular phone number xxx-xxx-9903.
10 This number is a residential telephone subscription. On 5/12/2007, Purdum registered this
11 number on the National Do Not Call Registry. In the four years preceding 4/22/2020 (the date
12 Purdum's original Complaint was filed), GoSmith sent Purdum at least 3 telemarketing text
13 messages at this number. GoSmith knowingly and willfully sent these text messages using an
14 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
15 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
16 procedures that meet the minimum standards required for telemarketing in violation of 47
17 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
18 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Purdum
19 within a 12-month period after Purdum was registered on the National Do Not Call Registry,
20 including but not limited to the period between 1/28/2017 and 1/28/2018. Purdum seeks an
21 amount not less than \$4,500 for at least 3 knowing and willful violations of 47 U.S.C. § 227(b),
22 and an amount not less than \$4,500 for at least 3 knowing and willful violations of 47 U.S.C. §
23 227(c). Alternatively, Purdum seeks an amount not less than \$1,500 for at least 3 negligent
24 violations of 47 U.S.C. § 227(b), and not less than \$1,500 for at least 3 negligent violations of
25 47 U.S.C. § 227(c). Finally, GoSmith sent Purdum at least 3 commercial text messages in
26 violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of
27

1 telephone solicitations in violation of RCW § 80.36.390, for which Purdum seeks an amount
2 not less than \$1,500, attorney's fees, injunctive relief, and treble damages.

3 767. Lance Purser personally owns and uses the cellular phone number xxx-xxx-4469.
4 This number is a residential telephone subscription. In the four years preceding 4/22/2020 (the
5 date Purser's original Complaint was filed), GoSmith sent Purser at least 9 telemarketing text
6 messages at this number. GoSmith knowingly and willfully sent these text messages using an
7 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
8 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
9 procedures that meet the minimum standards required for telemarketing in violation of 47
10 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Purser seeks an amount not less than \$13,500 for
11 at least 9 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
12 \$13,500 for at least 9 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
13 Purser seeks an amount not less than \$4,500 for at least 9 negligent violations of 47 U.S.C. §
14 227(b), and not less than \$4,500 for at least 9 negligent violations of 47 U.S.C. § 227(c).

15 768. Humberto Quevedo personally owns and uses the cellular phone number xxx-xxx-
16 6705. This number is a residential telephone subscription and his Quevedo's only telephone.
17 Quevedo uses this cell phone to communicate with family and friends and keeps this cell phone
18 on him at all times. In the four years preceding 1/30/2020 (the date Quevedo's original
19 Complaint was filed), GoSmith sent Quevedo at least 3,782 telemarketing text messages at this
20 number. GoSmith would often send Quevedo text messages and phone calls after midnight.
21 Quevedo tried tirelessly to stop the text messages and telephone calls to no avail. GoSmith
22 knowingly and willfully sent these text messages using an automatic telephone dialing system
23 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith
24 knowingly and willfully sent these text messages and phone calls without instituting
25 procedures that meet the minimum standards required for telemarketing in violation of 47
26 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Quevedo seeks an amount not less than
27 \$5,673,000 for at least 3,782 knowing and willful violations of 47 U.S.C. § 227(b), and an

1 amount not less than \$5,673,000 for at least 3,782 knowing and willful violations of 47 U.S.C.
2 § 227(c). Alternatively, Quevedo seeks an amount not less than \$1,891,000 for at least 3,782
3 negligent violations of 47 U.S.C. § 227(b), and not less than \$1,891,000 for at least 3,782
4 negligent violations of 47 U.S.C. § 227(c).

5 769. Jack Rabin personally owns and uses the cellular phone number xxx-xxx-5617.
6 This number is a residential telephone subscription and Rabin's only telephone. Rabin uses this
7 cell phone to communicate with family and friends and keeps this cell phone on him at all
8 times. Rabin charges this cell phone near his bedside at night. Rabin pays for this cell phone
9 with funds from his personal bank account. On 1/8/2006, Rabin registered this number on the
10 National Do Not Call Registry. In the four years preceding 4/28/2020 (the date Rabin's original
11 Complaint was filed), GoSmith sent Rabin at least 2,437 telemarketing text messages at this
12 number. GoSmith knowingly and willfully sent these text messages using an automatic
13 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
14 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
15 procedures that meet the minimum standards required for telemarketing in violation of 47
16 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
17 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Rabin
18 within a 12-month period after Rabin was registered on the National Do Not Call Registry,
19 including but not limited to the period between 6/12/2016 and 6/12/2017. Rabin seeks an
20 amount not less than \$3,655,500 for at least 2,437 knowing and willful violations of 47 U.S.C.
21 § 227(b), and an amount not less than \$3,655,500 for at least 2,437 knowing and willful
22 violations of 47 U.S.C. § 227(c). Alternatively, Rabin seeks an amount not less than
23 \$1,218,500 for at least 2,437 negligent violations of 47 U.S.C. § 227(b), and not less than
24 \$1,218,500 for at least 2,437 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent
25 Rabin at least 2437 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090,
26 80.36.400, and an undetermined number of telephone solicitations in violation of RCW §
27

1 80.36.390, for which Rabin seeks an amount not less than \$1,218,500, attorney's fees,
2 injunctive relief, and treble damages.

3 770. Michael Ramcharan personally owns and uses the cellular phone number xxx-
4 xxx-6081. This number is a residential telephone subscription and Ramcharan's only telephone.
5 Ramcharan uses this cell phone to communicate with friends and family and keeps this cell
6 phone on him at all times. Ramcharan pays for this cell phone with funds out of a personal
7 bank account. Ramcharan charges this cell phone by his bedside at night. In the four years
8 preceding 1/30/2020 (the date Ramcharan's original Complaint was filed), GoSmith sent
9 Ramcharan at least 329 telemarketing text messages at this number. GoSmith knowingly and
10 willfully sent these text messages using an automatic telephone dialing system in violation of
11 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully
12 sent these text messages without instituting procedures that meet the minimum standards
13 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d).
14 Ramcharan seeks an amount not less than \$493,500 for at least 329 knowing and willful
15 violations of 47 U.S.C. § 227(b), and an amount not less than \$493,500 for at least 329
16 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Ramcharan seeks an
17 amount not less than \$164,500 for at least 329 negligent violations of 47 U.S.C. § 227(b), and
18 not less than \$164,500 for at least 329 negligent violations of 47 U.S.C. § 227(c).

19 771. Nancy Ramirez personally owns and uses the cellular phone number xxx-xxx-
20 9548. This number is a residential telephone subscription and is Ramirez's only cell phone.
21 Ramirez uses this cell phone to communicate with family and friends and carries this cell
22 phone on her at all times. Ramirez pays for this cell phone with funds out of her personal bank
23 account. Ramirez charges this cell phone by her bedside at night. In the four years preceding
24 4/28/2020 (the date Ramirez's original Complaint was filed), GoSmith sent Ramirez at least 68
25 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
26 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
27 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these

1 text messages without instituting procedures that meet the minimum standards required for
2 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Ramirez seeks an
3 amount not less than \$102,000 for at least 68 knowing and willful violations of 47 U.S.C. §
4 227(b), and an amount not less than \$102,000 for at least 68 knowing and willful violations of
5 47 U.S.C. § 227(c). Alternatively, Ramirez seeks an amount not less than \$34,000 for at least
6 68 negligent violations of 47 U.S.C. § 227(b), and not less than \$34,000 for at least 68
7 negligent violations of 47 U.S.C. § 227(c).

8 772. Camie Ramirez personally owns and uses the cellular phone number xxx-xxx-
9 0444. This number is a residential telephone subscription and Ramirez's only cell phone.
10 Ramirez uses this cell phone to communicate with family and friends and carries this cell
11 phone on her at all times. Ramirez pays for this cell phone with funds out of her personal bank
12 account. Ramirez charges this cell phone by her bedside at night. In the four years preceding
13 4/22/2020 (the date Ramirez's original Complaint was filed), GoSmith sent Ramirez at least 17
14 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
15 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
16 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
17 text messages without instituting procedures that meet the minimum standards required for
18 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Ramirez seeks an
19 amount not less than \$25,500 for at least 17 knowing and willful violations of 47 U.S.C. §
20 227(b), and an amount not less than \$25,500 for at least 17 knowing and willful violations of
21 47 U.S.C. § 227(c). Alternatively, Ramirez seeks an amount not less than \$8,500 for at least 17
22 negligent violations of 47 U.S.C. § 227(b), and not less than \$8,500 for at least 17 negligent
23 violations of 47 U.S.C. § 227(c).

24 773. Richard Randall personally owns and uses the cellular phone number xxx-xxx-
25 6644. This number is a residential telephone subscription. In the four years preceding
26 4/21/2020 (the date Randall's original Complaint was filed), GoSmith sent Randall at least 28
27 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text

1 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
2 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
3 text messages without instituting procedures that meet the minimum standards required for
4 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Randall seeks an
5 amount not less than \$42,000 for at least 28 knowing and willful violations of 47 U.S.C. §
6 227(b), and an amount not less than \$42,000 for at least 28 knowing and willful violations of
7 47 U.S.C. § 227(c). Alternatively, Randall seeks an amount not less than \$14,000 for at least
8 28 negligent violations of 47 U.S.C. § 227(b), and not less than \$14,000 for at least 28
9 negligent violations of 47 U.S.C. § 227(c).

10 774. Richard Rands personally owns and uses the cellular phone number xxx-xxx-
11 6700. This number is a residential telephone subscription. On 9/13/2008, Rands registered this
12 number on the National Do Not Call Registry. In the four years preceding 4/22/2020 (the date
13 Rands's original Complaint was filed), GoSmith sent Rands at least 2 telemarketing text
14 messages at this number. GoSmith knowingly and willfully sent these text messages using an
15 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
16 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
17 procedures that meet the minimum standards required for telemarketing in violation of 47
18 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
19 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Rands
20 within a 12-month period after Rands was registered on the National Do Not Call Registry,
21 including but not limited to the period between 12/4/2016 and 12/4/2017. Rands seeks an
22 amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(b),
23 and an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. §
24 227(c). Alternatively, Rands seeks an amount not less than \$1,000 for at least 2 negligent
25 violations of 47 U.S.C. § 227(b), and not less than \$1,000 for at least 2 negligent violations of
26 47 U.S.C. § 227(c). Finally, GoSmith sent Rands at least 2 commercial text messages in
27 violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of

1 telephone solicitations in violation of RCW § 80.36.390, for which Rands seeks an amount not
2 less than \$1,000, attorney's fees, injunctive relief, and treble damages.

3 775. Charles Rankin personally owns and uses the cellular phone number xxx-xxx-
4 1880. This number is a residential telephone subscription. In the four years preceding
5 4/21/2020 (the date Rankin's original Complaint was filed), GoSmith sent Rankin at least 27
6 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
7 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
8 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
9 text messages without instituting procedures that meet the minimum standards required for
10 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Rankin seeks an
11 amount not less than \$40,500 for at least 27 knowing and willful violations of 47 U.S.C. §
12 227(b), and an amount not less than \$40,500 for at least 27 knowing and willful violations of
13 47 U.S.C. § 227(c). Alternatively, Rankin seeks an amount not less than \$13,500 for at least 27
14 negligent violations of 47 U.S.C. § 227(b), and not less than \$13,500 for at least 27 negligent
15 violations of 47 U.S.C. § 227(c).

16 776. Jason Rapp personally owns and uses the cellular phone number xxx-xxx-5671.
17 This number is a residential telephone subscription and Rapp's only cell phone. Rapp uses this
18 cell phone to communicate with family and friends and carries this cell phone on him at all
19 times. Rapp pays for this cell phone with funds out of his personal bank account. Rapp charges
20 this cell phone by his bedside at night. On 2/16/2012, Rapp registered this number on the
21 National Do Not Call Registry. In the four years preceding 4/22/2020 (the date Rapp's original
22 Complaint was filed), GoSmith sent Rapp at least 3 telemarketing text messages at this
23 number. GoSmith knowingly and willfully sent these text messages using an automatic
24 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
25 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
26 procedures that meet the minimum standards required for telemarketing in violation of 47
27 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47

1 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Rapp
2 within a 12-month period after Rapp was registered on the National Do Not Call Registry,
3 including but not limited to the period between 9/18/2016 and 8/17/2017. Rapp seeks an
4 amount not less than \$4,500 for at least 3 knowing and willful violations of 47 U.S.C. § 227(b),
5 and an amount not less than \$4,500 for at least 3 knowing and willful violations of 47 U.S.C. §
6 227(c). Alternatively, Rapp seeks an amount not less than \$1,500 for at least 3 negligent
7 violations of 47 U.S.C. § 227(b), and not less than \$1,500 for at least 3 negligent violations of
8 47 U.S.C. § 227(c). Finally, GoSmith sent Rapp at least 3 commercial text messages in
9 violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of
10 telephone solicitations in violation of RCW § 80.36.390, for which Rapp seeks an amount not
11 less than \$1,500, attorney's fees, injunctive relief, and treble damages.

12 777. Gary Ray personally owns and uses the cellular phone number xxx-xxx-3207.
13 This number is a residential telephone subscription. On 5/28/2009, Ray registered this number
14 on the National Do Not Call Registry. In the four years preceding 4/28/2020 (the date Ray's
15 original Complaint was filed), GoSmith sent Ray at least 4 telemarketing text messages at this
16 number. GoSmith knowingly and willfully sent these text messages using an automatic
17 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
18 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
19 procedures that meet the minimum standards required for telemarketing in violation of 47
20 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
21 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Ray
22 within a 12-month period after Ray was registered on the National Do Not Call Registry,
23 including but not limited to the period between 5/5/2016 and 5/5/2017. Ray seeks an amount
24 not less than \$6,000 for at least 4 knowing and willful violations of 47 U.S.C. § 227(b), and an
25 amount not less than \$6,000 for at least 4 knowing and willful violations of 47 U.S.C. § 227(c).
26 Alternatively, Ray seeks an amount not less than \$2,000 for at least 4 negligent violations of 47
27

1 U.S.C. § 227(b), and not less than \$2,000 for at least 4 negligent violations of 47 U.S.C. §
2 227(c).

3 778. Michael Redden personally owns and uses the cellular phone number xxx-xxx-
4 7623. This number is a residential telephone subscription. In the four years preceding
5 4/21/2020 (the date Redden's original Complaint was filed), GoSmith sent Redden at least 5
6 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
7 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
8 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
9 text messages without instituting procedures that meet the minimum standards required for
10 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Redden seeks an
11 amount not less than \$7,500 for at least 5 knowing and willful violations of 47 U.S.C. § 227(b),
12 and an amount not less than \$7,500 for at least 5 knowing and willful violations of 47 U.S.C. §
13 227(c). Alternatively, Redden seeks an amount not less than \$2,500 for at least 5 negligent
14 violations of 47 U.S.C. § 227(b), and not less than \$2,500 for at least 5 negligent violations of
15 47 U.S.C. § 227(c).

16 779. Kelli Reece personally owns and uses the cellular phone number xxx-xxx-6465.
17 This number is a residential telephone subscription and Reece's only cell phone. Reece uses
18 this cell phone to communicate with family and friends and carries this cell phone on him at all
19 times. Reece pays for this cell phone with funds out of his personal bank account. Reece
20 charges this cell phone by his bedside at night. In the four years preceding 4/22/2020 (the date
21 Reece's original Complaint was filed), GoSmith sent Reece at least 3 telemarketing text
22 messages at this number. GoSmith knowingly and willfully sent these text messages using an
23 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
24 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
25 procedures that meet the minimum standards required for telemarketing in violation of 47
26 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Reece seeks an amount not less than \$4,500 for at
27 least 3 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than

1 \$4,500 for at least 3 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Reece
2 seeks an amount not less than \$1,500 for at least 3 negligent violations of 47 U.S.C. § 227(b),
3 and not less than \$1,500 for at least 3 negligent violations of 47 U.S.C. § 227(c). Finally,
4 GoSmith sent Reece at least 3 commercial text messages in violation of RCW §§ 19.190.060,
5 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of
6 RCW § 80.36.390, for which Reece seeks an amount not less than \$1,500, attorney's fees,
7 injunctive relief, and treble damages.

8 780. Emily Refi personally owns and uses the cellular phone number xxx-xxx-5669.
9 This number is a residential telephone subscription. On 12/7/2004, Refi registered this number
10 on the National Do Not Call Registry. In the four years preceding 4/28/2020 (the date Refi's
11 original Complaint was filed), GoSmith sent Refi at least 6 telemarketing text messages at this
12 number. GoSmith knowingly and willfully sent these text messages using an automatic
13 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
14 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
15 procedures that meet the minimum standards required for telemarketing in violation of 47
16 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
17 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Refi
18 within a 12-month period after Refi was registered on the National Do Not Call Registry,
19 including but not limited to the period between 12/11/2016 and 12/11/2017. Refi seeks an
20 amount not less than \$9,000 for at least 6 knowing and willful violations of 47 U.S.C. § 227(b),
21 and an amount not less than \$9,000 for at least 6 knowing and willful violations of 47 U.S.C. §
22 227(c). Alternatively, Refi seeks an amount not less than \$3,000 for at least 6 negligent
23 violations of 47 U.S.C. § 227(b), and not less than \$3,000 for at least 6 negligent violations of
24 47 U.S.C. § 227(c).

25 781. Paula Reger personally owns and uses the cellular phone number xxx-xxx-8367.
26 This number is a residential telephone subscription. In the four years preceding 1/30/2020 (the
27 date Reger's original Complaint was filed), GoSmith sent Reger at least 35 telemarketing text

1 messages at this number. GoSmith knowingly and willfully sent these text messages using an
2 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
3 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
4 procedures that meet the minimum standards required for telemarketing in violation of 47
5 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Reger seeks an amount not less than \$52,500 for
6 at least 35 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
7 \$52,500 for at least 35 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
8 Reger seeks an amount not less than \$17,500 for at least 35 negligent violations of 47 U.S.C. §
9 227(b), and not less than \$17,500 for at least 35 negligent violations of 47 U.S.C. § 227(c).

10 782. Tim Reid personally owns and uses the cellular phone number xxx-xxx-9746.
11 This number is a residential telephone subscription. On 10/31/2014, Reid registered this
12 number on the National Do Not Call Registry. In the four years preceding 4/28/2020 (the date
13 Reid's original Complaint was filed), GoSmith sent Reid at least 5 telemarketing text messages
14 at this number. GoSmith knowingly and willfully sent these text messages using an automatic
15 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
16 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
17 procedures that meet the minimum standards required for telemarketing in violation of 47
18 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
19 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Reid
20 within a 12-month period after Reid was registered on the National Do Not Call Registry,
21 including but not limited to the period between 11/21/2017 and 11/21/2018. Reid seeks an
22 amount not less than \$7,500 for at least 5 knowing and willful violations of 47 U.S.C. § 227(b),
23 and an amount not less than \$7,500 for at least 5 knowing and willful violations of 47 U.S.C. §
24 227(c). Alternatively, Reid seeks an amount not less than \$2,500 for at least 5 negligent
25 violations of 47 U.S.C. § 227(b), and not less than \$2,500 for at least 5 negligent violations of
26 47 U.S.C. § 227(c).

1 783. Brian Reiswig personally owns and uses the cellular phone number xxx-xxx-
2 0390. This number is a residential telephone subscription. On 7/6/2003, Reiswig registered this
3 number on the National Do Not Call Registry. In the four years preceding 4/27/2020 (the date
4 Reiswig's original Complaint was filed), GoSmith sent Reiswig at least 7 telemarketing text
5 messages at this number. GoSmith knowingly and willfully sent these text messages using an
6 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
7 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
8 procedures that meet the minimum standards required for telemarketing in violation of 47
9 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
10 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Reiswig
11 within a 12-month period after Reiswig was registered on the National Do Not Call Registry,
12 including but not limited to the period between 3/4/2017 and 7/3/2017. Reiswig seeks an
13 amount not less than \$10,500 for at least 7 knowing and willful violations of 47 U.S.C. §
14 227(b), and an amount not less than \$10,500 for at least 7 knowing and willful violations of 47
15 U.S.C. § 227(c). Alternatively, Reiswig seeks an amount not less than \$3,500 for at least 7
16 negligent violations of 47 U.S.C. § 227(b), and not less than \$3,500 for at least 7 negligent
17 violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Reiswig at least 7 commercial text
18 messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined
19 number of telephone solicitations in violation of RCW § 80.36.390, for which Reiswig seeks
20 an amount not less than \$3,500, attorney's fees, injunctive relief, and treble damages.

21 784. Alan Reynolds personally owns and uses the cellular phone number xxx-xxx-
22 4387. This number is a residential telephone subscription. In the four years preceding
23 1/30/2020 (the date Reynolds's original Complaint was filed), GoSmith sent Reynolds at least 2
24 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
25 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
26 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
27 text messages without instituting procedures that meet the minimum standards required for

1 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Reynolds seeks
2 an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. §
3 227(b), and an amount not less than \$3,000 for at least 2 knowing and willful violations of 47
4 U.S.C. § 227(c). Alternatively, Reynolds seeks an amount not less than \$1,000 for at least 2
5 negligent violations of 47 U.S.C. § 227(b), and not less than \$1,000 for at least 2 negligent
6 violations of 47 U.S.C. § 227(c).

7 785. Keith Reynolds personally owns and uses the cellular phone number xxx-xxx-
8 2328. Reynolds uses this number to communicate with family and friends and for work. In the
9 four years preceding 4/28/2020 (the date Reynolds's original Complaint was filed), GoSmith
10 sent Reynolds at least 17 telemarketing text messages at this number. GoSmith knowingly and
11 willfully sent these text messages using an automatic telephone dialing system in violation of
12 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). Reynolds seeks an amount not
13 less than \$25,500 for at least 17 knowing and willful violations of 47 U.S.C. § 227(b).
14 Alternatively, Reynolds seeks an amount not less than \$8,500 for at least 17 negligent
15 violations of 47 U.S.C. § 227(b).

16 786. TJ Rhodes III personally owns and uses the cellular phone number xxx-xxx-4891.
17 This number is a residential telephone subscription. In the four years preceding 4/28/2020 (the
18 date Rhodes III's original Complaint was filed), GoSmith sent Rhodes III at least 87
19 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
20 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
21 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
22 text messages without instituting procedures that meet the minimum standards required for
23 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Rhodes III seeks
24 an amount not less than \$130,500 for at least 87 knowing and willful violations of 47 U.S.C. §
25 227(b), and an amount not less than \$130,500 for at least 87 knowing and willful violations of
26 47 U.S.C. § 227(c). Alternatively, Rhodes III seeks an amount not less than \$43,500 for at least
27

1 87 negligent violations of 47 U.S.C. § 227(b), and not less than \$43,500 for at least 87
2 negligent violations of 47 U.S.C. § 227(c).

3 787. Jon Ribble personally owns and uses the cellular phone number xxx-xxx-1828.
4 This number is a residential telephone subscription and is Ribble's only phone. This is his
5 personal cell phone, which he uses for all his personal calls and pays for out of his personal
6 bank account. In the four years preceding 4/24/2020 (the date Ribble's original Complaint was
7 filed), GoSmith sent Ribble at least 15 telemarketing text messages at this number. Upon
8 information and belief, the actual number is much higher. GoSmith knowingly and willfully
9 sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C.
10 § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
11 text messages without instituting procedures that meet the minimum standards required for
12 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Ribble seeks an
13 amount not less than \$22,500 for at least 15 knowing and willful violations of 47 U.S.C. §
14 227(b), and an amount not less than \$22,500 for at least 15 knowing and willful violations of
15 47 U.S.C. § 227(c). Alternatively, Ribble seeks an amount not less than \$7,500 for at least 15
16 negligent violations of 47 U.S.C. § 227(b), and not less than \$7,500 for at least 15 negligent
17 violations of 47 U.S.C. § 227(c).

18 788. Aaron Ribble personally owns and uses the cellular phone number xxx-xxx-1824.
19 This number is a residential telephone subscription. In the four years preceding 4/28/2020 (the
20 date Ribble's original Complaint was filed), GoSmith sent Ribble at least 46 telemarketing text
21 messages at this number. GoSmith knowingly and willfully sent these text messages using an
22 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
23 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
24 procedures that meet the minimum standards required for telemarketing in violation of 47
25 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Ribble seeks an amount not less than \$69,000 for
26 at least 46 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
27 \$69,000 for at least 46 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,

1 Ribble seeks an amount not less than \$23,000 for at least 46 negligent violations of 47 U.S.C. §
2 227(b), and not less than \$23,000 for at least 46 negligent violations of 47 U.S.C. § 227(c).

3 789. Jason Rice personally owns and uses the cellular phone number xxx-xxx-3430.
4 This number is a residential telephone subscription and was Rice's only phone for many years.
5 This is his personal cell phone number, which he uses for all his personal calls and pays for out
6 of his personal bank account. He has never used this phone for his home-based business, which
7 has always had a separate number solely for business calls that ends in -9309. On 1/25/2009,
8 Rice registered this number on the National Do Not Call Registry. In the four years preceding
9 1/30/2020 (the date Rice's original Complaint was filed), GoSmith sent Rice at least 53
10 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
11 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
12 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
13 text messages without instituting procedures that meet the minimum standards required for
14 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
15 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
16 least 2 text messages to Rice within a 12-month period after Rice was registered on the
17 National Do Not Call Registry, including but not limited to the period between 6/24/2017 and
18 7/8/2017. Rice seeks an amount not less than \$79,500 for at least 53 knowing and willful
19 violations of 47 U.S.C. § 227(b), and an amount not less than \$79,500 for at least 53 knowing
20 and willful violations of 47 U.S.C. § 227(c). Alternatively, Rice seeks an amount not less than
21 \$26,500 for at least 53 negligent violations of 47 U.S.C. § 227(b), and not less than \$26,500 for
22 at least 53 negligent violations of 47 U.S.C. § 227(c).

23 790. Keith Richards personally owns and uses the cellular phone number xxx-xxx-
24 4155. This number is a residential telephone subscription. On 5/5/2005, Richards registered
25 this number on the National Do Not Call Registry. In the four years preceding 4/21/2020 (the
26 date Richards's original Complaint was filed), GoSmith sent Richards at least 3 telemarketing
27 text messages at this number. GoSmith knowingly and willfully sent these text messages using

1 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
2 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
3 instituting procedures that meet the minimum standards required for telemarketing in violation
4 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and
5 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to
6 Richards within a 12-month period after Richards was registered on the National Do Not Call
7 Registry, including but not limited to the period between 1/27/2017 and 1/27/2018. Richards
8 seeks an amount not less than \$4,500 for at least 3 knowing and willful violations of 47 U.S.C.
9 § 227(b), and an amount not less than \$4,500 for at least 3 knowing and willful violations of 47
10 U.S.C. § 227(c). Alternatively, Richards seeks an amount not less than \$1,500 for at least 3
11 negligent violations of 47 U.S.C. § 227(b), and not less than \$1,500 for at least 3 negligent
12 violations of 47 U.S.C. § 227(c).

13 791. Calvin Richards personally owns and uses the cellular phone number xxx-xxx-
14 4164. This number is a residential telephone subscription and was Richard's only phone
15 number for many years. In the four years preceding 4/22/2020 (the date Richards's original
16 Complaint was filed), GoSmith sent Richards at least 420 telemarketing text messages and
17 phone calls at this number, at a rate of over twice a day. GoSmith made so many calls and sent
18 so many texts to Richards that he hired a secretary in desperation, just to filter calls and texts
19 and got a new number so he could keep his number private from GoSmith. GoSmith
20 knowingly and willfully sent these text messages using an automatic telephone dialing system
21 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith
22 knowingly and willfully sent these text messages without instituting procedures that meet the
23 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
24 § 64.1200(d). Richards seeks an amount not less than \$630,000 for at least 420 knowing and
25 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$630,000 for at least 420
26 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Richards seeks an amount
27 not less than \$210,000 for at least 420 negligent violations of 47 U.S.C. § 227(b), and not less

1 than \$210,000 for at least 420 negligent violations of 47 U.S.C. § 227(c). Finally, Richards
2 claims actual damages in the amount of the cost of his new telephone number and the cost of
3 hiring a secretary to manage his previously personal phone calls and texts.

4 792. Stephen Richardson personally owns and uses the cellular phone number xxx-
5 xxx-4675. This number is a residential telephone subscription and is Richardson's personal
6 cellphone. On 8/14/2004, Richardson registered this number on the National Do Not Call
7 Registry. Richardson eventually used this cellphone for mixed personal use and for work calls
8 relating to his home-based business, which had a separate landline he established in 1990. In
9 the four years preceding 4/28/2020 (the date Richardson's original Complaint was filed),
10 GoSmith sent Richardson at least 74 telemarketing text messages at this number. Richardson
11 did not know how to stop the texts. He was annoyed and complained about it with other small
12 business owners who were receiving identical texts from GoSmith that interrupted their days.
13 GoSmith knowingly and willfully sent these text messages using an automatic telephone
14 dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7).
15 GoSmith knowingly and willfully sent these text messages without instituting procedures that
16 meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and
17 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c),
18 GoSmith knowingly and willfully sent at least 2 text messages to Richardson within a 12-
19 month period after Richardson was registered on the National Do Not Call Registry, including
20 but not limited to the period between 9/10/2016 and 9/10/2017. Richardson seeks an amount
21 not less than \$111,000 for at least 74 knowing and willful violations of 47 U.S.C. § 227(b), and
22 an amount not less than \$111,000 for at least 74 knowing and willful violations of 47 U.S.C. §
23 227(c). Alternatively, Richardson seeks an amount not less than \$37,000 for at least 74
24 negligent violations of 47 U.S.C. § 227(b), and not less than \$37,000 for at least 74 negligent
25 violations of 47 U.S.C. § 227(c).

26 793. Crystal Richie personally owns and uses the cellular phone number xxx-xxx-
27 4086. This number is a residential telephone subscription. In the four years preceding

1 4/28/2020 (the date Richie's original Complaint was filed), GoSmith sent Richie at least 57
2 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
3 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
4 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
5 text messages without instituting procedures that meet the minimum standards required for
6 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Richie seeks an
7 amount not less than \$85,500 for at least 57 knowing and willful violations of 47 U.S.C. §
8 227(b), and an amount not less than \$85,500 for at least 57 knowing and willful violations of
9 47 U.S.C. § 227(c). Alternatively, Richie seeks an amount not less than \$28,500 for at least 57
10 negligent violations of 47 U.S.C. § 227(b), and not less than \$28,500 for at least 57 negligent
11 violations of 47 U.S.C. § 227(c).

12 794. Phillip Ricks personally owns and uses the cellular phone number xxx-xxx-4422.
13 This number is a residential telephone subscription. In the four years preceding 1/30/2020 (the
14 date Ricks's original Complaint was filed), GoSmith sent Ricks at least 26 telemarketing text
15 messages at this number. GoSmith knowingly and willfully sent these text messages using an
16 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
17 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
18 procedures that meet the minimum standards required for telemarketing in violation of 47
19 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Ricks seeks an amount not less than \$39,000 for
20 at least 26 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
21 \$39,000 for at least 26 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
22 Ricks seeks an amount not less than \$13,000 for at least 26 negligent violations of 47 U.S.C. §
23 227(b), and not less than \$13,000 for at least 26 negligent violations of 47 U.S.C. § 227(c).

24 795. James Riggs personally owns and uses the cellular phone number xxx-xxx-5157.
25 This number is a residential telephone subscription. In the four years preceding 4/29/2020 (the
26 date Riggs's original Complaint was filed), GoSmith sent Riggs at least 1,296 telemarketing
27 text messages at this number. GoSmith knowingly and willfully sent these text messages using

1 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
2 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
3 instituting procedures that meet the minimum standards required for telemarketing in violation
4 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Riggs seeks an amount not less than
5 \$1,944,000 for at least 1,296 knowing and willful violations of 47 U.S.C. § 227(b), and an
6 amount not less than \$1,944,000 for at least 1,296 knowing and willful violations of 47 U.S.C.
7 § 227(c). Alternatively, Riggs seeks an amount not less than \$648,000 for at least 1,296
8 negligent violations of 47 U.S.C. § 227(b), and not less than \$648,000 for at least 1,296
9 negligent violations of 47 U.S.C. § 227(c).

10 796. Anthony Rivera personally owns and uses the cellular phone number xxx-xxx-
11 7324. This number is a residential telephone subscription. In the four years preceding
12 4/21/2020 (the date Rivera's original Complaint was filed), GoSmith sent Rivera at least 15
13 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
14 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
15 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
16 text messages without instituting procedures that meet the minimum standards required for
17 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Rivera seeks an
18 amount not less than \$22,500 for at least 15 knowing and willful violations of 47 U.S.C. §
19 227(b), and an amount not less than \$22,500 for at least 15 knowing and willful violations of
20 47 U.S.C. § 227(c). Alternatively, Rivera seeks an amount not less than \$7,500 for at least 15
21 negligent violations of 47 U.S.C. § 227(b), and not less than \$7,500 for at least 15 negligent
22 violations of 47 U.S.C. § 227(c).

23 797. Shawn Robbins personally owns and uses the cellular phone number xxx-xxx-
24 9682. This number is a residential telephone subscription and is Robbin's only phone number.
25 He uses this cell phone for all his personal calls. He does take work-related calls on this phone,
26 but it is on an individual/family plan with his cellphone service provider and he pays for it out
27 of his personal bank account. He keeps it with him, his family and friends call this number, and

1 he charges it in his room at night. In the four years preceding 4/28/2020 (the date Robbins's
2 original Complaint was filed), GoSmith sent Robbins at least 13 telemarketing text messages at
3 this number. When Robbins questioned GoSmith for more information, they tried to sell him
4 leads and services, which he did not want. GoSmith knowingly and willfully sent these text
5 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
6 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
7 text messages without instituting procedures that meet the minimum standards required for
8 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Robbins seeks an
9 amount not less than \$19,500 for at least 13 knowing and willful violations of 47 U.S.C. §
10 227(b), and an amount not less than \$19,500 for at least 13 knowing and willful violations of
11 47 U.S.C. § 227(c). Alternatively, Robbins seeks an amount not less than \$6,500 for at least 13
12 negligent violations of 47 U.S.C. § 227(b), and not less than \$6,500 for at least 13 negligent
13 violations of 47 U.S.C. § 227(c).

14 798. Owen Roberts personally owns and uses the cellular phone number xxx-xxx-
15 1765. This number is a residential telephone subscription and is Robbin's only phone number.
16 He uses this cell phone for all his personal calls. He does take work-related calls on this phone,
17 but it is on an individual/family plan with his cellphone service provider and he pays for it out
18 of his personal bank account. He keeps it with him, his family and friends call this number, and
19 he charges it in his room at night. On 12/20/2016, Roberts registered this number on the
20 National Do Not Call Registry. In the four years preceding 4/27/2020 (the date Roberts's
21 original Complaint was filed), GoSmith sent Roberts at least 26 telemarketing text messages at
22 this number. Roberts believes the number to be much higher and states that GoSmith texted
23 him daily for weeks at a time, that he would have to stop working to answer texts, which made
24 him upset and he would have to take time to cool down so he could go back to work. When he
25 received GoSmith's first text, he responded "STOP," but GoSmith did not stop sending the
26 texts. GoSmith knowingly and willfully sent these text messages using an automatic telephone
27 dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7).

GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Roberts within a 12-month period after Roberts was registered on the National Do Not Call Registry, including but not limited to the period between 2/25/2017 and 8/23/2017. Roberts seeks an amount not less than \$39,000 for at least 26 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$39,000 for at least 26 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Roberts seeks an amount not less than \$13,000 for at least 26 negligent violations of 47 U.S.C. § 227(b), and not less than \$13,000 for at least 26 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Roberts at least 26 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which Roberts seeks an amount not less than \$13,000, attorney's fees, injunctive relief, and treble damages.

799. Charles Robinson personally owns and uses the cellular phone number xxx-xxx-0741. This number is a residential telephone subscription. On 2/2/2018, Robinson registered this number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date Robinson's original Complaint was filed), GoSmith sent Robinson at least 39 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Robinson within a 12-month period after Robinson was registered on the National Do Not Call Registry, including but not limited to the period between 2/2/2018 and 2/7/2018. Robinson seeks an amount not less than \$58,500 for at least 39 knowing and

1 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$58,500 for at least 39
2 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Robinson seeks an amount
3 not less than \$19,500 for at least 39 negligent violations of 47 U.S.C. § 227(b), and not less
4 than \$19,500 for at least 39 negligent violations of 47 U.S.C. § 227(c).

5 800. Raysho Robinson personally owns and uses the cellular phone number xxx-xxx-
6 0609. This number is a residential telephone subscription. In the four years preceding
7 1/30/2020 (the date Robinson's original Complaint was filed), GoSmith sent Robinson at least
8 39 telemarketing text messages at this number. GoSmith knowingly and willfully sent these
9 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
10 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
11 text messages without instituting procedures that meet the minimum standards required for
12 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Robinson seeks
13 an amount not less than \$58,500 for at least 39 knowing and willful violations of 47 U.S.C. §
14 227(b), and an amount not less than \$58,500 for at least 39 knowing and willful violations of
15 47 U.S.C. § 227(c). Alternatively, Robinson seeks an amount not less than \$19,500 for at least
16 39 negligent violations of 47 U.S.C. § 227(b), and not less than \$19,500 for at least 39
17 negligent violations of 47 U.S.C. § 227(c).

18 801. Scott Robinson personally owns and uses the cellular phone number xxx-xxx-
19 3173. This number is a residential telephone subscription. On 9/21/2011, Robinson registered
20 this number on the National Do Not Call Registry. In the four years preceding 4/29/2020 (the
21 date Robinson's original Complaint was filed), GoSmith sent Robinson at least 3 telemarketing
22 text messages at this number. GoSmith knowingly and willfully sent these text messages using
23 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
24 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
25 instituting procedures that meet the minimum standards required for telemarketing in violation
26 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and
27 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to

1 Robinson within a 12-month period after Robinson was registered on the National Do Not Call
2 Registry, including but not limited to the period between 4/13/2017 and 4/13/2018. Robinson
3 seeks an amount not less than \$4,500 for at least 3 knowing and willful violations of 47 U.S.C.
4 § 227(b), and an amount not less than \$4,500 for at least 3 knowing and willful violations of 47
5 U.S.C. § 227(c). Alternatively, Robinson seeks an amount not less than \$1,500 for at least 3
6 negligent violations of 47 U.S.C. § 227(b), and not less than \$1,500 for at least 3 negligent
7 violations of 47 U.S.C. § 227(c).

8 802. Reese Robinson personally owns and uses the cellular phone number xxx-xxx-
9 5142. This number is a residential telephone subscription and is Robinson's only phone
10 number. Robinson pays for it out of a personal bank account, carries the phone at all times, and
11 charges it at home every night. It is the number Robinson uses for all personal communication.
12 In the four years preceding 4/27/2020 (the date Robinson's original Complaint was filed),
13 GoSmith sent Robinson at least 312 telemarketing text messages at this number. GoSmith
14 typically sent Robinson's cell phone a text promising a "lead" on the weekend, with 2 or 3
15 alerts that came in soon after saying that someone was waiting and urging her to respond. This
16 continued for 6-9 months. Robinson does not know how GoSmith got the phone number and
17 could not figure out how to get off their list. Robinson did not want to be solicited and was not
18 pursuing the "leads" in any way. Robinson tried to opt out by clicking for more information
19 and trying to text with a person, but could never contact an individual, which Robinson found
20 suspicious and deduced the leads were being sent by an automated system. GoSmith
21 knowingly and willfully sent these text messages using an automatic telephone dialing system
22 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith
23 knowingly and willfully sent these text messages without instituting procedures that meet the
24 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
25 § 64.1200(d). Robinson seeks an amount not less than \$468,000 for at least 312 knowing and
26 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$468,000 for at least 312
27 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Robinson seeks an amount

1 not less than \$156,000 for at least 312 negligent violations of 47 U.S.C. § 227(b), and not less
2 than \$156,000 for at least 312 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith
3 sent Robinson at least 312 commercial text messages in violation of RCW §§ 19.190.060,
4 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of
5 RCW § 80.36.390, for which Robinson seeks an amount not less than \$156,000, attorney's
6 fees, injunctive relief, and treble damages.

7 803. Tom Roche personally owns and uses the cellular phone number xxx-xxx-7100.
8 This number is a residential telephone subscription. On 1/28/2017, Roche registered this
9 number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date
10 Roche's original Complaint was filed), GoSmith sent Roche at least 5 telemarketing text
11 messages at this number. GoSmith knowingly and willfully sent these text messages using an
12 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
13 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
14 procedures that meet the minimum standards required for telemarketing in violation of 47
15 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
16 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Roche
17 within a 12-month period after Roche was registered on the National Do Not Call Registry,
18 including but not limited to the period between 5/26/2017 and 5/26/2018. Roche seeks an
19 amount not less than \$7,500 for at least 5 knowing and willful violations of 47 U.S.C. § 227(b),
20 and an amount not less than \$7,500 for at least 5 knowing and willful violations of 47 U.S.C. §
21 227(c). Alternatively, Roche seeks an amount not less than \$2,500 for at least 5 negligent
22 violations of 47 U.S.C. § 227(b), and not less than \$2,500 for at least 5 negligent violations of
23 47 U.S.C. § 227(c).

24 804. Kyle Rodenhauser personally owns and uses the cellular phone number xxx-xxx-
25 7166. This number is a residential telephone subscription and is Rodenhauser's only phone
26 number. He has a personal/family plan with his cell phone service provider, carries the phone
27 at all times, and charges it at home every night. Rodenhauser uses this number for all personal

1 communication. In the four years preceding 1/30/2020 (the date Rodenhauser's original
2 Complaint was filed), GoSmith sent Rodenhauser at least 328 telemarketing text messages at
3 this number. GoSmith knowingly and willfully sent these text messages using an automatic
4 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
5 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
6 procedures that meet the minimum standards required for telemarketing in violation of 47
7 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Rodenhauser seeks an amount not less than
8 \$492,000 for at least 328 knowing and willful violations of 47 U.S.C. § 227(b), and an amount
9 not less than \$492,000 for at least 328 knowing and willful violations of 47 U.S.C. § 227(c).
10 Alternatively, Rodenhauser seeks an amount not less than \$164,000 for at least 328 negligent
11 violations of 47 U.S.C. § 227(b), and not less than \$164,000 for at least 328 negligent
12 violations of 47 U.S.C. § 227(c).

13 805. Lilach Rodgers personally owns and uses the cellular phone number xxx-xxx-
14 9002. This number is a residential telephone subscription, and this is Rodgers's only phone.
15 Rodgers works out of her home as a freelancer. She makes all her calls with this phone number
16 and this is the number for all her personal calls and matters. Her friends and family call her on
17 this number and it is on a personal/family phone plan with her cellular service provider. On
18 11/11/2015, Rodgers registered this number on the National Do Not Call Registry. In the four
19 years preceding 4/21/2020 (the date Rodgers's original Complaint was filed), GoSmith sent
20 Rodgers at least 2 telemarketing text messages at this number. GoSmith knowingly and
21 willfully sent these text messages using an automatic telephone dialing system in violation of
22 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully
23 sent these text messages without instituting procedures that meet the minimum standards
24 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also
25 in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and
26 willfully sent at least 2 text messages to Rodgers within a 12-month period after Rodgers was
27 registered on the National Do Not Call Registry, including but not limited to the period

1 between 8/29/2016 and 8/29/2017. Rodgers seeks an amount not less than \$3,000 for at least 2
2 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$3,000 for
3 at least 2 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Rodgers seeks an
4 amount not less than \$1,000 for at least 2 negligent violations of 47 U.S.C. § 227(b), and not
5 less than \$1,000 for at least 2 negligent violations of 47 U.S.C. § 227(c).

6 806. Mark Anthony Rodriguez personally owns and uses the cellular phone number
7 xxx-xxx-9739. This number is a residential telephone subscription and is Rodriguez's personal
8 cell phone. He uses this phone to make all his personal calls with friends and family but also
9 takes calls for his home-based business on this phone. He pays for it out of his personal bank
10 account and it is a personal or family plan with his phone provider. He carries this phone
11 everywhere and charges it in his bedroom at night. In the four years preceding 4/27/2020 (the
12 date Rodriguez's original Complaint was filed), GoSmith sent Rodriguez at least 11
13 telemarketing text messages at this number, all within a space of just a few days. Rodriguez
14 asked GoSmith to "STOP" and finally was unsubscribed. GoSmith knowingly and willfully
15 sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C.
16 § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
17 text messages without instituting procedures that meet the minimum standards required for
18 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Rodriguez seeks
19 an amount not less than \$16,500 for at least 11 knowing and willful violations of 47 U.S.C. §
20 227(b), and an amount not less than \$16,500 for at least 11 knowing and willful violations of
21 47 U.S.C. § 227(c). Alternatively, Rodriguez seeks an amount not less than \$5,500 for at least
22 11 negligent violations of 47 U.S.C. § 227(b), and not less than \$5,500 for at least 11 negligent
23 violations of 47 U.S.C. § 227(c).

24 807. Cesar Rodriguez personally owns and uses the cellular phone number xxx-xxx-
25 8977. This number is a residential telephone subscription, but Rodriguez uses it with his home-
26 based business. In the four years preceding 4/22/2020 (the date Rodriguez's original Complaint
27 was filed), GoSmith sent Rodriguez at least 156 telemarketing text messages at this number.

1 GoSmith sent Rodriguez's cellphone these text messages 3-4 times a week for almost a year.
2 GoSmith knowingly and willfully sent these text messages using an automatic telephone
3 dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7).
4 GoSmith knowingly and willfully sent these text messages without instituting procedures that
5 meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and
6 47 C.F.R. § 64.1200(d). Rodriguez seeks an amount not less than \$234,000 for at least 156
7 knowing and willful violations of 47 U.S.C. § 227(b). Alternatively, Rodriguez seeks an
8 amount not less than \$78,000 for at least 156 negligent violations of 47 U.S.C. § 227(b).
9 Finally, GoSmith sent Rodriguez at least 156 commercial text megssages in violation of RCW
10 §§ 19.190.060, 19.86.090, and 80.36.400, for which Rodriguez seeks an amount not less than
11 \$78,000, attorney's fees, injunctive relief, and treble damages.

12 808. Joseph Rodriguez-Amaya personally owns and uses the cellular phone number
13 xxx-xxx-6072. This number is a residential telephone subscription. It is Rodriguez-Amaya's
14 personal cell phone. He uses this phone to make all his personal calls with friends and family
15 but also takes calls for his home-based business on this phone. He pays for it out of his
16 personal bank account and it is on a personal or family plan with his phone provider. He carries
17 this phone everywhere and charges it in his bedroom at night. In the four years preceding
18 4/21/2020 (the date Rodriguez-Amaya's original Complaint was filed), GoSmith sent
19 Rodriguez-Amaya at least 280 telemarketing text messages and phone calls at this number. In
20 the beginning, Rodriguez-Amaya thought someone was sending him actual leads, not soliciting
21 purchases. He would try to schedule the jobs with GoSmith, only to discover the texts were
22 telemarketing messages and fake leads. GoSmith sent Rodriguez-Amaya's personal cell phone
23 4-5 texts a week. Every time he blocked a number, they would text him from a different one.
24 The texts harassed Rodriguez-Amaya and inconvenienced him. He also received phone calls
25 from GoSmith. GoSmith knowingly and willfully sent these text messages and made these
26 calls using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii)
27 and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages and

1 calls without instituting procedures that meet the minimum standards required for
2 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Rodriguez-
3 Amaya seeks an amount not less than \$420,000 for at least 280 knowing and willful violations
4 of 47 U.S.C. § 227(b), and an amount not less than \$420,000 for at least 280 knowing and
5 willful violations of 47 U.S.C. § 227(c). Alternatively, Rodriguez-Amaya seeks an amount not
6 less than \$140,000 for at least 280 negligent violations of 47 U.S.C. § 227(b), and not less than
7 \$140,000 for at least 280 negligent violations of 47 U.S.C. § 227(c).

8 809. Ronald Rohinsky personally owns and uses the cellular phone number xxx-xxx-
9 1107. This number is a residential telephone subscription and is Rohinsky's personal cell
10 phone. In the four years preceding 4/29/2020 (the date Rohinsky's original Complaint was
11 filed), GoSmith sent Rohinsky at least 301 telemarketing text messages at this number.
12 GoSmith knowingly and willfully sent these text messages almost daily using an automatic
13 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
14 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
15 procedures that meet the minimum standards required for telemarketing in violation of 47
16 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Rohinsky seeks an amount not less than \$451,500
17 for at least 301 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less
18 than \$451,500 for at least 301 knowing and willful violations of 47 U.S.C. § 227(c).
19 Alternatively, Rohinsky seeks an amount not less than \$150,500 for at least 301 negligent
20 violations of 47 U.S.C. § 227(b), and not less than \$150,500 for at least 301 negligent
21 violations of 47 U.S.C. § 227(c).

22 810. Goretty Romero personally owns and uses the cellular phone number xxx-xxx-
23 8296. This number is a residential telephone subscription. In the four years preceding
24 4/27/2020 (the date Romero's original Complaint was filed), GoSmith sent Romero at least 33
25 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
26 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
27 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these

1 text messages without instituting procedures that meet the minimum standards required for
2 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Romero seeks an
3 amount not less than \$49,500 for at least 33 knowing and willful violations of 47 U.S.C. §
4 227(b), and an amount not less than \$49,500 for at least 33 knowing and willful violations of
5 47 U.S.C. § 227(c). Alternatively, Romero seeks an amount not less than \$16,500 for at least
6 33 negligent violations of 47 U.S.C. § 227(b), and not less than \$16,500 for at least 33
7 negligent violations of 47 U.S.C. § 227(c).

8 811. Les Romfo personally owns and uses the cellular phone number xxx-xxx-4447.
9 This number is a residential telephone subscription. In the four years preceding 1/30/2020 (the
10 date Romfo's original Complaint was filed), GoSmith sent Romfo at least 71 telemarketing text
11 messages at this number. GoSmith knowingly and willfully sent these text messages using an
12 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
13 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
14 procedures that meet the minimum standards required for telemarketing in violation of 47
15 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Romfo seeks an amount not less than \$106,500
16 for at least 71 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less
17 than \$106,500 for at least 71 knowing and willful violations of 47 U.S.C. § 227(c).
18 Alternatively, Romfo seeks an amount not less than \$35,500 for at least 71 negligent violations
19 of 47 U.S.C. § 227(b), and not less than \$35,500 for at least 71 negligent violations of 47
20 U.S.C. § 227(c).

21 812. Robert Ronquillo personally owns and uses the cellular phone number xxx-xxx-
22 5111. This number is a residential telephone subscription. In the four years preceding
23 4/21/2020 (the date Ronquillo's original Complaint was filed), GoSmith sent Ronquillo at least
24 9 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
25 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
26 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
27 text messages without instituting procedures that meet the minimum standards required for

1 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Ronquillo seeks
2 an amount not less than \$13,500 for at least 9 knowing and willful violations of 47 U.S.C. §
3 227(b), and an amount not less than \$13,500 for at least 9 knowing and willful violations of 47
4 U.S.C. § 227(c). Alternatively, Ronquillo seeks an amount not less than \$4,500 for at least 9
5 negligent violations of 47 U.S.C. § 227(b), and not less than \$4,500 for at least 9 negligent
6 violations of 47 U.S.C. § 227(c).

7 813. DeAnna Rose-Lydon personally owns and uses the cellular phone number xxx-
8 xxx-2849. This number is a residential telephone subscription. On 10/10/2003, Rose-Lydon
9 registered this number on the National Do Not Call Registry. In the four years preceding
10 1/30/2020 (the date Rose-Lydon's original Complaint was filed), GoSmith sent Rose-Lydon at
11 least 32 telemarketing text messages at this number. GoSmith knowingly and willfully sent
12 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
13 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
14 text messages without instituting procedures that meet the minimum standards required for
15 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
16 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
17 least 2 text messages to Rose-Lydon within a 12-month period after Rose-Lydon was
18 registered on the National Do Not Call Registry, including but not limited to the period
19 between 5/23/2017 and 5/23/2018. Rose-Lydon seeks an amount not less than \$48,000 for at
20 least 32 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
21 \$48,000 for at least 32 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
22 Rose-Lydon seeks an amount not less than \$16,000 for at least 32 negligent violations of 47
23 U.S.C. § 227(b), and not less than \$16,000 for at least 32 negligent violations of 47 U.S.C. §
24 227(c).

25 814. Drew Rosenberg personally owns and uses the cellular phone number xxx-xxx-
26 8513. This number is a residential telephone subscription. In the four years preceding
27 4/22/2020 (the date Rosenberg's original Complaint was filed), GoSmith sent Rosenberg at

1 least 2 telemarketing text messages at this number. GoSmith knowingly and willfully sent
2 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
3 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
4 text messages without instituting procedures that meet the minimum standards required for
5 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Rosenberg seeks
6 an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. §
7 227(b), and an amount not less than \$3,000 for at least 2 knowing and willful violations of 47
8 U.S.C. § 227(c). Alternatively, Rosenberg seeks an amount not less than \$1,000 for at least 2
9 negligent violations of 47 U.S.C. § 227(b), and not less than \$1,000 for at least 2 negligent
10 violations of 47 U.S.C. § 227(c).

11 815. Tyler Roth personally owns and uses the cellular phone number xxx-xxx-7775.
12 This number is a residential telephone subscription and is Roth's only phone. He uses this
13 cellphone for all his personal calls, keeps it with him at all times, and charges it in his bedroom
14 at night. Roth has a personal/family plan with his cellphone service provider, and this is the
15 number he uses with his family and friends. He pays for it out of his personal bank account. In
16 the four years preceding 4/28/2020 (the date Roth's original Complaint was filed), GoSmith
17 sent Roth at least 9 telemarketing text messages at this number. GoSmith knowingly and
18 willfully sent these text messages using an automatic telephone dialing system in violation of
19 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully
20 sent these text messages without instituting procedures that meet the minimum standards
21 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Roth
22 seeks an amount not less than \$13,500 for at least 9 knowing and willful violations of 47
23 U.S.C. § 227(b), and an amount not less than \$13,500 for at least 9 knowing and willful
24 violations of 47 U.S.C. § 227(c). Alternatively, Roth seeks an amount not less than \$4,500 for
25 at least 9 negligent violations of 47 U.S.C. § 227(b), and not less than \$4,500 for at least 9
26 negligent violations of 47 U.S.C. § 227(c).

1 816. Artem Rudyy personally owns and uses the cellular phone number xxx-xxx-2001.
2 This number is a residential telephone subscription and is Rudyy's personal and only phone.
3 Rudyy uses this phone for all personal calls and pays for it out of a personal bank account. It is
4 on an individual/family plan with the cellphone service provider and is the phone Rudyy's
5 family and friends call. In the four years preceding 4/22/2020 (the date Rudyy's original
6 Complaint was filed), GoSmith sent Rudyy at least 60 telemarketing text messages at this
7 number, as many as 2-5 each day for around two weeks, which annoyed Rudyy very much.
8 Rudyy texted them to stop. GoSmith knowingly and willfully sent these text messages using an
9 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
10 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
11 procedures that meet the minimum standards required for telemarketing in violation of 47
12 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Rudyy seeks an amount not less than \$90,000 for
13 at least 60 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
14 \$90,000 for at least 60 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
15 Rudyy seeks an amount not less than \$30,000 for at least 60 negligent violations of 47 U.S.C. §
16 227(b), and not less than \$30,000 for at least 60 negligent violations of 47 U.S.C. § 227(c).
17 Finally, GoSmith sent Rudyy at least 60 commercial text messages in violation of RCW §§
18 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in
19 violation of RCW § 80.36.390, for which Rudyy seeks an amount not less than \$30,000,
20 attorney's fees, injunctive relief, and treble damages.

21 817. Anthony Scott Rue personally owns and uses the cellular phone number xxx-xxx-
22 2690. This number is a residential telephone subscription. In the four years preceding
23 4/28/2020 (the date Rue's original Complaint was filed), GoSmith sent Rue at least 31
24 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
25 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
26 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
27 text messages without instituting procedures that meet the minimum standards required for

1 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Rue seeks an
2 amount not less than \$46,500 for at least 31 knowing and willful violations of 47 U.S.C. §
3 227(b), and an amount not less than \$46,500 for at least 31 knowing and willful violations of
4 47 U.S.C. § 227(c). Alternatively, Rue seeks an amount not less than \$15,500 for at least 31
5 negligent violations of 47 U.S.C. § 227(b), and not less than \$15,500 for at least 31 negligent
6 violations of 47 U.S.C. § 227(c).

7 818. Andrew Rusinchak personally owns and uses the cellular phone number xxx-xxx-
8 6045. This number is a residential telephone subscription and is Rusinchak's only phone. He
9 uses this cellphone for all his personal calls, keeps it with him at all times, and charges it in his
10 bedroom at night. Rusinchak has a personal/family plan with his cellphone service provider
11 and this is the number he uses with his family and friends. He pays for it out of his personal
12 bank account. In the four years preceding 1/30/2020 (the date Rusinchak's original Complaint
13 was filed), GoSmith sent Rusinchak at least 63 telemarketing text messages at this number.
14 GoSmith knowingly and willfully sent these text messages using an automatic telephone
15 dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7).
16 GoSmith knowingly and willfully sent these text messages without instituting procedures that
17 meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and
18 47 C.F.R. § 64.1200(d). Rusinchak seeks an amount not less than \$94,500 for at least 63
19 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$94,500 for
20 at least 63 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Rusinchak
21 seeks an amount not less than \$31,500 for at least 63 negligent violations of 47 U.S.C. §
22 227(b), and not less than \$31,500 for at least 63 negligent violations of 47 U.S.C. § 227(c).

23 819. Paul Ryals personally owns and uses the cellular phone number xxx-xxx-2030.
24 This number is a residential telephone subscription and is Ryals's only phone. He uses this
25 cellphone for all his personal calls, keeps it with him at all times, and charges it in his bedroom
26 at night. Ryals has a personal/family plan with his cellphone service provider and this is the
27 number he uses with his family and friends. He pays for it out of his personal bank account. On

6/29/2003, Ryals registered this number on the National Do Not Call Registry. In the four years preceding 4/21/2020 (the date Ryals's original Complaint was filed), GoSmith sent Ryals at least 42 telemarketing text messages and phone calls at this number. GoSmith knowingly and willfully sent these text messages and calls using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages and calls without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages and calls to Ryals within a 12-month period after Ryals was registered on the National Do Not Call Registry, including but not limited to the period between 4/21/2016 and 4/21/2017. Ryals seeks an amount not less than \$63,000 for at least 42 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$63,000 for at least 42 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Ryals seeks an amount not less than \$21,000 for at least 42 negligent violations of 47 U.S.C. § 227(b), and not less than \$21,000 for at least 42 negligent violations of 47 U.S.C. § 227(c).

820. Michael Ryan personally owns and uses the cellular phone number xxx-xxx-2993. This number is a residential telephone subscription and is Ryan's only phone. He uses this cellphone for all his personal calls, keeps it with him at all times, and charges it in his bedroom at night. Ryan has a personal/family plan with his cellphone service provider, and this is the number he uses with his family and friends. He pays for it out of his personal bank account. On 2/5/2015, Ryan registered this number on the National Do Not Call Registry. In the four years preceding 4/28/2020 (the date Ryan's original Complaint was filed), GoSmith sent Ryan at least 288 telemarketing text messages and phone calls at this number, bugging him daily. GoSmith knowingly and willfully sent these text messages and phone calls using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages and phone calls

1 without instituting procedures that meet the minimum standards required for telemarketing in
2 violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. §
3 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text
4 messages or calls to Ryan within a 12-month period after Ryan was registered on the National
5 Do Not Call Registry, including but not limited to the period between 4/28/2016 and
6 4/28/2017. Ryan seeks an amount not less than \$432,000 for at least 288 knowing and willful
7 violations of 47 U.S.C. § 227(b), and an amount not less than \$432,000 for at least 288
8 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Ryan seeks an amount not
9 less than \$144,000 for at least 288 negligent violations of 47 U.S.C. § 227(b), and not less than
10 \$144,000 for at least 288 negligent violations of 47 U.S.C. § 227(c).

11 821. Richard David (Rich) Rzasa personally owns and uses the cellular phone number
12 xxx-xxx-6607. This number is a residential telephone subscription and is Rzasa's only phone.
13 He uses this cellphone for all his personal calls, keeps it with him at all times, and charges it in
14 his bedroom at night. It is the only phone he owns in the house. Rzasa's number is on a family
15 plan with his cellphone service provider, AT&T, and this is the number he uses with his family
16 and friends. He pays for it out of his personal bank account. On 8/6/2006, Rzasa registered this
17 number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date
18 Rzasa's original Complaint was filed), GoSmith sent Rzasa at least 206 telemarketing text
19 messages and calls at this number, which is Rzasa's personal phone. Rzasa remember receiving
20 at least 2 telemarketing texts and/or calls per week, all from different numbers. If he replied to
21 the texts with a number, he got an immediate and automated response. If he texted anything
22 else, he never got a response. GoSmith knowingly and willfully sent these text messages and
23 calls using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii)
24 and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages and
25 calls without instituting procedures that meet the minimum standards required for
26 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
27 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at

1 least 2 text messages and/or calls to Rzasz within a 12-month period after Rzasz was registered
2 on the National Do Not Call Registry, including but not limited to the period between
3 4/29/2017 and 4/29/2018. Rzasz seeks an amount not less than \$309,000 for at least 206
4 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$309,000
5 for at least 206 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Rzasz
6 seeks an amount not less than \$103,000 for at least 206 negligent violations of 47 U.S.C. §
7 227(b), and not less than \$103,000 for at least 206 negligent violations of 47 U.S.C. § 227(c).

8 822. Brad Rzechua personally owns and uses the cellular phone number xxx-xxx-0350.
9 This number is a residential telephone subscription. In the four years preceding 1/30/2020 (the
10 date Rzechua's original Complaint was filed), GoSmith sent Rzechua at least 2 telemarketing
11 text messages at this number. GoSmith knowingly and willfully sent these text messages using
12 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
13 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
14 instituting procedures that meet the minimum standards required for telemarketing in violation
15 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Rzechua seeks an amount not less than
16 \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not
17 less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(c).

18 Alternatively, Rzechua seeks an amount not less than \$1,000 for at least 2 negligent violations
19 of 47 U.S.C. § 227(b), and not less than \$1,000 for at least 2 negligent violations of 47 U.S.C.
20 § 227(c). Finally, GoSmith sent Rzechua at least 2 commercial text messages in violation of
21 RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone
22 solicitations in violation of RCW § 80.36.390, for which Rzechua seeks an amount not less
23 than \$1,000, attorney's fees, injunctive relief, and treble damages.

24 823. Edward Salan personally owns and uses the cellular phone number xxx-xxx-5326.
25 This number is a residential telephone subscription and is Salan's personal cell phone number.
26 In the four years preceding 4/28/2020 (the date Salan's original Complaint was filed), GoSmith
27 sent Salan at least 8 telemarketing text messages at this number. GoSmith knowingly and

1 willfully sent these text messages using an automatic telephone dialing system in violation of
2 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully
3 sent these text messages without instituting procedures that meet the minimum standards
4 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Salan
5 seeks an amount not less than \$12,000 for at least 8 knowing and willful violations of 47
6 U.S.C. § 227(b), and an amount not less than \$12,000 for at least 8 knowing and willful
7 violations of 47 U.S.C. § 227(c). Alternatively, Salan seeks an amount not less than \$4,000 for
8 at least 8 negligent violations of 47 U.S.C. § 227(b), and not less than \$4,000 for at least 8
9 negligent violations of 47 U.S.C. § 227(c).

10 824. Adam Salas personally owns and uses the cellular phone number xxx-xxx-8382.
11 This number is Salas's personal phone number. He pays for it out of his personal bank account
12 and uses it for all his personal calls. Salas had a home-based business prior to late 2011, which
13 is when he shut down his business. His phone number has been strictly personal ever since
14 (and was used for all his personal calls even prior to 2011). In the four years preceding
15 1/30/2020 (the date Salas's original Complaint was filed), GoSmith sent Salas at least 94
16 telemarketing text messages and phone calls to his personal cell phone at this number. Go
17 Smith did not begin texting or calling Salas until 2017, more than 5 years after he had shut
18 down his business. GoSmith knowingly and willfully sent these text messages and calls using
19 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
20 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages and calls
21 without instituting procedures that meet the minimum standards required for telemarketing in
22 violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Salas seeks an amount not less
23 than \$141,000 for at least 94 knowing and willful violations of 47 U.S.C. § 227(b), and an
24 amount not less than \$141,000 for at least 94 knowing and willful violations of 47 U.S.C. §
25 227(c). Alternatively, Salas seeks an amount not less than \$47,000 for at least 94 negligent
26 violations of 47 U.S.C. § 227(b), and not less than \$47,000 for at least 94 negligent violations
27 of 47 U.S.C. § 227(c).

1 825. Noelle Salinas personally owns and uses the cellular phone number xxx-xxx-
2 1197. This number is a residential telephone subscription. It is Salinas's only phone and has
3 always been her personal phone. She pays for it out of her personal account, charges it in her
4 room at night, and carries it with her daily. It is the number all her friends and family use to
5 contact her and is the number she uses for all of her personal calls. Finally, Salinas runs a
6 catering business out of her home. She is not a contractor for home repairs or services. In the
7 four years preceding 1/30/2020 (the date Salinas's original Complaint was filed), GoSmith sent
8 Salinas at least 58 telemarketing text messages and calls at this number, asking her to purchase
9 home services leads. GoSmith knowingly and willfully sent these text messages and calls using
10 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
11 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages and calls
12 without instituting procedures that meet the minimum standards required for telemarketing in
13 violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Salinas seeks an amount not less
14 than \$87,000 for at least 58 knowing and willful violations of 47 U.S.C. § 227(b), and an
15 amount not less than \$87,000 for at least 58 knowing and willful violations of 47 U.S.C. §
16 227(c). Alternatively, Salinas seeks an amount not less than \$29,000 for at least 58 negligent
17 violations of 47 U.S.C. § 227(b), and not less than \$29,000 for at least 58 negligent violations
18 of 47 U.S.C. § 227(c).

19 826. Elizabeth Sanchez personally owns and uses the cellular phone number xxx-xxx-
20 3440. This number is a residential telephone subscription. On 7/8/2006, Sanchez registered this
21 number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date
22 Sanchez's original Complaint was filed), GoSmith sent Sanchez at least 272 telemarketing text
23 messages at this number. GoSmith knowingly and willfully sent these text messages using an
24 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
25 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
26 procedures that meet the minimum standards required for telemarketing in violation of 47
27 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47

C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Sanchez within a 12-month period after Sanchez was registered on the National Do Not Call Registry, including but not limited to the period between 7/23/2016 and 7/23/2017. Sanchez seeks an amount not less than \$408,000 for at least 272 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$408,000 for at least 272 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Sanchez seeks an amount not less than \$136,000 for at least 272 negligent violations of 47 U.S.C. § 227(b), and not less than \$136,000 for at least 272 negligent violations of 47 U.S.C. § 227(c).

827. William Kevin Sanders personally owns and uses the cellular phone number xxx-xxx-2065. This number is a residential telephone subscription and is Sanders's only phone. He uses it for his personal calls and also in his home-based business. He pays for it out of his personal bank account and it is an individual/family plan with his cellphone service provider. In the four years preceding 1/30/2020 (the date Sanders's original Complaint was filed), GoSmith sent Sanders at least 66 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Sanders seeks an amount not less than \$99,000 for at least 66 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$99,000 for at least 66 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Sanders seeks an amount not less than \$33,000 for at least 66 negligent violations of 47 U.S.C. § 227(b), and not less than \$33,000 for at least 66 negligent violations of 47 U.S.C. § 227(c).

828. Brian Sangster personally owns and uses the cellular phone number xxx-xxx-7683. This number is a residential telephone subscription. In the four years preceding 4/22/2020 (the date Sangster's original Complaint was filed), GoSmith sent Sangster at least 141 telemarketing text messages at this number. GoSmith knowingly and willfully sent these

1 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
 2 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
 3 text messages without instituting procedures that meet the minimum standards required for
 4 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Sangster seeks an
 5 amount not less than \$211,500 for at least 141 knowing and willful violations of 47 U.S.C. §
 6 227(b), and an amount not less than \$211,500 for at least 141 knowing and willful violations of
 7 47 U.S.C. § 227(c). Alternatively, Sangster seeks an amount not less than \$70,500 for at least
 8 141 negligent violations of 47 U.S.C. § 227(b), and not less than \$70,500 for at least 141
 9 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Sangster at least 141
 10 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an
 11 undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which
 12 Sangster seeks an amount not less than \$70,500, attorney's fees, injunctive relief, and treble
 13 damages.

14 829. Jerry Sarich personally owns and uses the cellular phone number xxx-xxx-1727.
 15 This number is a residential telephone subscription. On 10/13/2011, Sarich registered this
 16 number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date
 17 Sarich's original Complaint was filed), GoSmith sent Sarich at least 15 telemarketing text
 18 messages at this number. GoSmith knowingly and willfully sent these text messages using an
 19 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
 20 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
 21 procedures that meet the minimum standards required for telemarketing in violation of 47
 22 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
 23 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Sarich
 24 within a 12-month period after Sarich was registered on the National Do Not Call Registry,
 25 including but not limited to the period between 4/23/2017 and 4/23/2018. Sarich seeks an
 26 amount not less than \$22,500 for at least 15 knowing and willful violations of 47 U.S.C. §
 27 227(b), and an amount not less than \$22,500 for at least 15 knowing and willful violations of

1 47 U.S.C. § 227(c). Alternatively, Sarich seeks an amount not less than \$7,500 for at least 15
2 negligent violations of 47 U.S.C. § 227(b), and not less than \$7,500 for at least 15 negligent
3 violations of 47 U.S.C. § 227(c).

4 830. Chad Sauer personally owns and uses the cellular phone number xxx-xxx-1030.
5 This number is a residential telephone subscription and is Sauer's only phone. He uses it for his
6 personal calls and also in his home-based business. He pays for it out of his personal bank
7 account and it is an individual/family plan with his cellphone service provider. On 5/12/2005,
8 Sauer registered this number on the National Do Not Call Registry. In the four years preceding
9 4/22/2020 (the date Sauer's original Complaint was filed), GoSmith sent Sauer at least 187
10 telemarketing text messages at this number, 1-3 times a week for many months. GoSmith
11 knowingly and willfully sent these text messages using an automatic telephone dialing system
12 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith
13 knowingly and willfully sent these text messages without instituting procedures that meet the
14 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
15 § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith
16 knowingly and willfully sent at least 2 text messages to Sauer within a 12-month period after
17 Sauer was registered on the National Do Not Call Registry, including but not limited to the
18 period between 4/22/2016 and 4/22/2017. Sauer seeks an amount not less than \$280,500 for at
19 least 187 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
20 \$280,500 for at least 187 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
21 Sauer seeks an amount not less than \$93,500 for at least 187 negligent violations of 47 U.S.C.
22 § 227(b), and not less than \$93,500 for at least 187 negligent violations of 47 U.S.C. § 227(c).

23 831. James Savage personally owns and uses the cellular phone number xxx-xxx-3025.
24 This number is a residential telephone subscription and is Savage's only phone. He uses this
25 phone for all his personal calls, carries it with him during the day, charges it in his room at
26 night, and pays for it out of his personal bank account. He uses it in his home-based business,
27 but it is a personal/family plan with his cellphone service provider. In the four years preceding

1 4/22/2020 (the date Savage's original Complaint was filed), GoSmith sent Savage at least 439
2 telemarketing text messages and phone calls at this number. GoSmith called and texted Savage
3 at least 3 times a week and as much as 10 times a week for many months. Once Savage
4 answered a call from GoSmith and spoke to a representative who explained he would be
5 charged for every lead he accepted and that the leads were not guaranteed to be people actually
6 requesting service. Savage declined to purchase the leads and asked to be removed from the
7 list. GoSmith's text continued, however. Savage grew accustomed to the non-stop harassment
8 and would have to clear his phone occasionally to purge the messages. GoSmith knowingly
9 and willfully sent these text messages using an automatic telephone dialing system in violation
10 of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and
11 willfully sent these text messages without instituting procedures that meet the minimum
12 standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. §
13 64.1200(d). Savage seeks an amount not less than \$658,500 for at least 439 knowing and
14 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$658,500 for at least 439
15 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Savage seeks an amount
16 not less than \$219,500 for at least 439 negligent violations of 47 U.S.C. § 227(b), and not less
17 than \$219,500 for at least 439 negligent violations of 47 U.S.C. § 227(c).

18 832. Alex Sawicki personally owns and uses the cellular phone number xxx-xxx-0957.
19 This number is a residential telephone subscription. On 7/24/2007, Sawicki registered this
20 number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date
21 Sawicki's original Complaint was filed), GoSmith sent Sawicki at least 2 telemarketing text
22 messages at this number. GoSmith knowingly and willfully sent these text messages using an
23 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
24 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
25 procedures that meet the minimum standards required for telemarketing in violation of 47
26 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
27 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Sawicki

1 within a 12-month period after Sawicki was registered on the National Do Not Call Registry,
2 including but not limited to the period between 6/22/2017 and 6/22/2018. Sawicki seeks an
3 amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(b),
4 and an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. §
5 227(c). Alternatively, Sawicki seeks an amount not less than \$1,000 for at least 2 negligent
6 violations of 47 U.S.C. § 227(b), and not less than \$1,000 for at least 2 negligent violations of
7 47 U.S.C. § 227(c).

8 833. Nicholas Schaffer personally owns and uses the cellular phone number xxx-xxx-
9 3130. This number is a residential telephone subscription. In the four years preceding
10 1/30/2020 (the date Schaffer's original Complaint was filed), GoSmith sent Schaffer at least 7
11 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
12 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
13 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
14 text messages without instituting procedures that meet the minimum standards required for
15 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Schaffer seeks an
16 amount not less than \$10,500 for at least 7 knowing and willful violations of 47 U.S.C. §
17 227(b), and an amount not less than \$10,500 for at least 7 knowing and willful violations of 47
18 U.S.C. § 227(c). Alternatively, Schaffer seeks an amount not less than \$3,500 for at least 7
19 negligent violations of 47 U.S.C. § 227(b), and not less than \$3,500 for at least 7 negligent
20 violations of 47 U.S.C. § 227(c).

21 834. Jeffrey Schick personally owns and uses the cellular phone number xxx-xxx-
22 7564. Schick uses this number for work. In the four years preceding 4/28/2020 (the date
23 Schick's original Complaint was filed), GoSmith sent Schick at least 15 telemarketing text
24 messages at this number. GoSmith knowingly and willfully sent these text messages using an
25 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
26 § 64.1200(a)(7). Schick seeks an amount not less than \$22,500 for at least 15 knowing and
27

1 willful violations of 47 U.S.C. § 227(b). Alternatively, Schick seeks an amount not less than
2 \$7,500 for at least 15 negligent violations of 47 U.S.C. § 227(b).

3 835. Todd Schild personally owns and uses the cellular phone number xxx-xxx-5114.
4 This number is a residential telephone subscription. In the four years preceding 4/22/2020 (the
5 date Schild's original Complaint was filed), GoSmith sent Schild at least 2 telemarketing text
6 messages at this number. GoSmith knowingly and willfully sent these text messages using an
7 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
8 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
9 procedures that meet the minimum standards required for telemarketing in violation of 47
10 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Schild seeks an amount not less than \$3,000 for at
11 least 2 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
12 \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Schild
13 seeks an amount not less than \$1,000 for at least 2 negligent violations of 47 U.S.C. § 227(b),
14 and not less than \$1,000 for at least 2 negligent violations of 47 U.S.C. § 227(c).

15 836. James Schneck personally owns and uses the cellular phone number xxx-xxx-
16 7182. This number is a residential telephone subscription. In the four years preceding
17 4/28/2020 (the date Schneck's original Complaint was filed), GoSmith sent Schneck at least 2
18 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
19 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
20 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
21 text messages without instituting procedures that meet the minimum standards required for
22 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Schneck seeks an
23 amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(b),
24 and an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. §
25 227(c). Alternatively, Schneck seeks an amount not less than \$1,000 for at least 2 negligent
26 violations of 47 U.S.C. § 227(b), and not less than \$1,000 for at least 2 negligent violations of
27 47 U.S.C. § 227(c).

837. Cody Schneider personally owns and uses the cellular phone number xxx-xxx-8894. This number is a residential telephone subscription. In the four years preceding 4/28/2020 (the date Schneider's original Complaint was filed), GoSmith sent Schneider at least 211 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Schneider seeks an amount not less than \$316,500 for at least 211 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$316,500 for at least 211 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Schneider seeks an amount not less than \$105,500 for at least 211 negligent violations of 47 U.S.C. § 227(b), and not less than \$105,500 for at least 211 negligent violations of 47 U.S.C. § 227(c).

838. Steven Schubach personally owns and uses the cellular phone number xxx-xxx-0067. Schubach uses this cell phone for work. In the four years preceding 4/27/2020 (the date Schubach's original Complaint was filed), GoSmith sent Schubach at least 20 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). Schubach seeks an amount not less than \$30,000 for at least 20 knowing and willful violations of 47 U.S.C. § 227(b). Alternatively, Schubach seeks an amount not less than \$10,000 for at least 20 negligent violations of 47 U.S.C. § 227(b). Finally, GoSmith sent Schubach at least 20 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, and 80.36.400, for which Schubach seeks an amount not less than \$10,000, attorney's fees, injunctive relief, and treble damages.

839. John Schulte personally owns and uses the cellular phone number xxx-xxx-5539. This number is a residential telephone subscription. On 8/6/2015, Schulte registered this number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date

Schulte's original Complaint was filed), GoSmith sent Schulte at least 12 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Schulte within a 12-month period after Schulte was registered on the National Do Not Call Registry, including but not limited to the period between 5/23/2017 and 5/23/2018. Schulte seeks an amount not less than \$18,000 for at least 12 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$18,000 for at least 12 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Schulte seeks an amount not less than \$6,000 for at least 12 negligent violations of 47 U.S.C. § 227(b), and not less than \$6,000 for at least 12 negligent violations of 47 U.S.C. § 227(c).

840. Kyle Schultz personally owns and uses the cellular phone number xxx-xxx-8801. This number is a residential telephone subscription and is Schultz's only phone. He uses this phone for all his personal calls, carries it with him during the day, charges it in his room at night, and pays for it out of his personal bank account. He uses it in his home-based business, but it is a personal/family plan with his cellphone service provider. On 5/19/2017, Schultz registered this number on the National Do Not Call Registry. In the four years preceding 4/27/2020 (the date Schultz's original Complaint was filed), GoSmith sent Schultz at least 13 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at

1 least 2 text messages to Schultz within a 12-month period after Schultz was registered on the
2 National Do Not Call Registry, including but not limited to the period between 5/19/2017 and
3 7/22/2017. Schultz seeks an amount not less than \$19,500 for at least 13 knowing and willful
4 violations of 47 U.S.C. § 227(b), and an amount not less than \$19,500 for at least 13 knowing
5 and willful violations of 47 U.S.C. § 227(c). Alternatively, Schultz seeks an amount not less
6 than \$6,500 for at least 13 negligent violations of 47 U.S.C. § 227(b), and not less than \$6,500
7 for at least 13 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Schultz at least
8 13 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and
9 an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which
10 Schultz seeks an amount not less than \$6,500, attorney's fees, injunctive relief, and treble
11 damages.

12 841. John Sciarra personally owns and uses the cellular phone number xxx-xxx-4276.
13 This number is a residential telephone subscription. On 4/29/2005, Sciarra registered this
14 number on the National Do Not Call Registry. In the four years preceding 4/28/2020 (the date
15 Sciarra's original Complaint was filed), GoSmith sent Sciarra at least 18 telemarketing text
16 messages at this number. GoSmith knowingly and willfully sent these text messages using an
17 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
18 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
19 procedures that meet the minimum standards required for telemarketing in violation of 47
20 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
21 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Sciarra
22 within a 12-month period after Sciarra was registered on the National Do Not Call Registry,
23 including but not limited to the period between 7/1/2016 and 7/1/2017. Sciarra seeks an
24 amount not less than \$27,000 for at least 18 knowing and willful violations of 47 U.S.C. §
25 227(b), and an amount not less than \$27,000 for at least 18 knowing and willful violations of
26 47 U.S.C. § 227(c). Alternatively, Sciarra seeks an amount not less than \$9,000 for at least 18
27

1 negligent violations of 47 U.S.C. § 227(b), and not less than \$9,000 for at least 18 negligent
2 violations of 47 U.S.C. § 227(c).

3 842. Savannah Scroggs personally owns and uses the cellular phone number xxx-xxx-
4 1095. This number is a residential telephone subscription and is Ms. Scrogg's only phone
5 number. It is her personal cell phone, which she uses for all personal calls, gives to family and
6 friends, and pays for out of a personal bank account. She carries it with her and charges it on
7 her nightstand every night. It is on a personal/family plan with her cellphone service provider.
8 In the four years preceding 1/30/2020 (the date Scroggs's original Complaint was filed),
9 GoSmith sent Scroggs at least 104 telemarketing text messages at this number. GoSmith
10 knowingly and willfully sent these text messages using an automatic telephone dialing system
11 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith
12 knowingly and willfully sent these text messages without instituting procedures that meet the
13 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
14 § 64.1200(d). Scroggs seeks an amount not less than \$156,000 for at least 104 knowing and
15 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$156,000 for at least 104
16 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Scroggs seeks an amount
17 not less than \$52,000 for at least 104 negligent violations of 47 U.S.C. § 227(b), and not less
18 than \$52,000 for at least 104 negligent violations of 47 U.S.C. § 227(c).

19 843. Jesse Seale personally owns and uses the cellular phone number xxx-xxx-6655.
20 This number is a residential telephone subscription. In the four years preceding 12/16/2019
21 (the date Seale's original Complaint was filed), GoSmith sent Seale at least 400 telemarketing
22 text messages at this number. GoSmith knowingly and willfully sent these text messages using
23 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii). GoSmith
24 knowingly and willfully sent these text messages without instituting procedures that meet the
25 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
26 § 64.1200(d). Seale seeks an amount not less than \$600,000 for at least 400 knowing and
27 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$600,000 for at least 400

1 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Seale seeks an amount not
2 less than \$200,000 for at least 400 negligent violations of 47 U.S.C. § 227(b), and \$200,000 for
3 at least 400 negligent violations of 47 U.S.C. § 227(c).

4 844. Jonathan Sealy personally owns and uses the cellular phone number xxx-xxx-
5 6071. This number is a residential telephone subscription. In the four years preceding
6 4/27/2020 (the date Sealy's original Complaint was filed), GoSmith sent Sealy at least 2
7 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
8 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
9 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
10 text messages without instituting procedures that meet the minimum standards required for
11 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Sealy seeks an
12 amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(b),
13 and an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. §
14 227(c). Alternatively, Sealy seeks an amount not less than \$1,000 for at least 2 negligent
15 violations of 47 U.S.C. § 227(b), and not less than \$1,000 for at least 2 negligent violations of
16 47 U.S.C. § 227(c). Finally, GoSmith sent Sealy at least 2 commercial text messages in
17 violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of
18 telephone solicitations in violation of RCW § 80.36.390, for which Sealy seeks an amount not
19 less than \$1,000, attorney's fees, injunctive relief, and treble damages.

20 845. Elizabeth Sears personally owns and uses the cellular phone number xxx-xxx-
21 5662. This number is a residential telephone subscription. In the four years preceding
22 4/27/2020 (the date Sears's original Complaint was filed), GoSmith sent Sears at least 42
23 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
24 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
25 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
26 text messages without instituting procedures that meet the minimum standards required for
27 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Sears seeks an

1 amount not less than \$63,000 for at least 42 knowing and willful violations of 47 U.S.C. §
2 227(b), and an amount not less than \$63,000 for at least 42 knowing and willful violations of
3 47 U.S.C. § 227(c). Alternatively, Sears seeks an amount not less than \$21,000 for at least 42
4 negligent violations of 47 U.S.C. § 227(b), and not less than \$21,000 for at least 42 negligent
5 violations of 47 U.S.C. § 227(c).

6 846. Kirk Secrist personally owns and uses the cellular phone number xxx-xxx-4092.
7 This number is a residential telephone subscription and is Secrist's only phone number. It is his
8 personal cell phone, which he uses for all personal calls, gives to family and friends. He carries
9 it with him and charges it on his nightstand every night. It is on a personal/family plan with his
10 cellphone service provider. On 1/27/2009, Secrist registered this number on the National Do
11 Not Call Registry. In the four years preceding 4/22/2020 (the date Secrist's original Complaint
12 was filed), GoSmith sent Secrist at least 254 telemarketing text messages and calls at this
13 number, non-stop, multiple times per week. In Secrist's own words: "GoSmith bugged the hell
14 out of me." GoSmith knowingly and willfully sent these text messages using an automatic
15 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
16 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
17 procedures that meet the minimum standards required for telemarketing in violation of 47
18 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
19 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Secrist
20 within a 12-month period after Secrist was registered on the National Do Not Call Registry,
21 including but not limited to the period between 8/5/2017 and 8/5/2018. Secrist seeks an amount
22 not less than \$381,000 for at least 254 knowing and willful violations of 47 U.S.C. § 227(b),
23 and an amount not less than \$381,000 for at least 254 knowing and willful violations of 47
24 U.S.C. § 227(c). Alternatively, Secrist seeks an amount not less than \$127,000 for at least 254
25 negligent violations of 47 U.S.C. § 227(b), and not less than \$127,000 for at least 254 negligent
26 violations of 47 U.S.C. § 227(c).

847. James Seltenreich personally owns and uses the cellular phone number xxx-xxx-3872. This number is a residential telephone subscription. In the four years preceding 4/30/2020 (the date Seltenreich's original Complaint was filed), GoSmith sent Seltenreich at least 51 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Seltenreich seeks an amount not less than \$76,500 for at least 51 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$76,500 for at least 51 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Seltenreich seeks an amount not less than \$25,500 for at least 51 negligent violations of 47 U.S.C. § 227(b), and not less than \$25,500 for at least 51 negligent violations of 47 U.S.C. § 227(c).

848. Andrei Serebryakov personally owns and uses the cellular phone number xxx-xxx-5306. This number is a residential telephone subscription and is mainly used for Serebryakov's home-based business calls, although he does take some personal calls with this number. In the four years preceding 4/22/2020 (the date Serebryakov's original Complaint was filed), GoSmith sent Serebryakov at least 55 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Serebryakov seeks an amount not less than \$82,500 for at least 55 knowing and willful violations of 47 U.S.C. § 227(b). Alternatively, Serebryakov seeks an amount not less than \$27,500 for at least 55 negligent violations of 47 U.S.C. § 227(b). Finally, GoSmith sent Serebryakov at least 55 commercial text messages in violation of RCW §§

1 19.190.060, 19.86.090, and 80.36.400, for which Serebryakov seeks an amount not less than
2 \$27,500, attorney's fees, injunctive relief, and treble damages.

3 849. David Servatius personally owns and uses the cellular phone number xxx-xxx-
4 1647. This number is a residential telephone subscription. On 8/22/2006, Servatius registered
5 this number on the National Do Not Call Registry. In the four years preceding 4/28/2020 (the
6 date Servatius's original Complaint was filed), GoSmith sent Servatius at least 2 telemarketing
7 text messages at this number. GoSmith knowingly and willfully sent these text messages using
8 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
9 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
10 instituting procedures that meet the minimum standards required for telemarketing in violation
11 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and
12 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to
13 Servatius within a 12-month period after Servatius was registered on the National Do Not Call
14 Registry, including but not limited to the period between 8/2/2017 and 8/4/2017. Servatius
15 seeks an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C.
16 § 227(b), and an amount not less than \$3,000 for at least 2 knowing and willful violations of 47
17 U.S.C. § 227(c). Alternatively, Servatius seeks an amount not less than \$1,000 for at least 2
18 negligent violations of 47 U.S.C. § 227(b), and not less than \$1,000 for at least 2 negligent
19 violations of 47 U.S.C. § 227(c).

20 850. Marcel Seyss personally owns and uses the cellular phone number xxx-xxx-8869.
21 This number is a residential telephone subscription that is mainly used for Seyss's home-based
22 business calls, although he does take some personal calls with this number. In the four years
23 preceding 4/22/2020 (the date Seyss's original Complaint was filed), GoSmith sent Seyss at
24 least 30 telemarketing text messages at this number. GoSmith knowingly and willfully sent
25 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
26 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
27 text messages without instituting procedures that meet the minimum standards required for

1 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Seyss seeks an
 2 amount not less than \$45,000 for at least 30 knowing and willful violations of 47 U.S.C. §
 3 227(b). Alternatively, Seyss seeks an amount not less than \$15,000 for at least 30 negligent
 4 violations of 47 U.S.C. § 227(b). Finally, GoSmith sent Seyss at least 30 commercial text
 5 messages in violation of RCW §§ 19.190.060, 19.86.090, and 80.36.400, for which Seyss seeks
 6 an amount not less than \$15,000, attorney's fees, injunctive relief, and treble damages.

7 851. Stephen Andrew Shadwick personally owns and uses the cellular phone number
 8 xxx-xxx-0686. This number is a residential telephone subscription and is Shadwick's only
 9 phone number. It is his personal cell phone, which he uses for all personal calls, gives to family
 10 and friends. He carries it with him and charges it on his nightstand every night. It is on a
 11 personal/family plan with his cellphone service provider. In the four years preceding 4/28/2020
 12 (the date Shadwick's original Complaint was filed), GoSmith sent Shadwick at least 4
 13 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
 14 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
 15 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
 16 text messages without instituting procedures that meet the minimum standards required for
 17 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Shadwick seeks
 18 an amount not less than \$6,000 for at least 4 knowing and willful violations of 47 U.S.C. §
 19 227(b), and an amount not less than \$6,000 for at least 4 knowing and willful violations of 47
 20 U.S.C. § 227(c). Alternatively, Shadwick seeks an amount not less than \$2,000 for at least 4
 21 negligent violations of 47 U.S.C. § 227(b), and not less than \$2,000 for at least 4 negligent
 22 violations of 47 U.S.C. § 227(c).

23 852. Michael Shanaberger personally owns and uses the cellular phone number xxx-
 24 xxx-6382. This number is a residential telephone subscription. In the four years preceding
 25 4/22/2020 (the date Shanaberger's original Complaint was filed), GoSmith sent Shanaberger at
 26 least 24 telemarketing text messages at this number. GoSmith knowingly and willfully sent
 27 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §

227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Shanaberger seeks an amount not less than \$36,000 for at least 24 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$36,000 for at least 24 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Shanaberger seeks an amount not less than \$12,000 for at least 24 negligent violations of 47 U.S.C. § 227(b), and not less than \$12,000 for at least 24 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Shanaberger at least 24 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which Shanaberger seeks an amount not less than \$12,000, attorney's fees, injunctive relief, and treble damages.

853. Nathaniel Shannon personally owns and uses the cellular phone number xxx-xxx-9645. This number is a residential telephone subscription and is Shannon's only phone number. It is his personal cell phone, which he uses for all personal calls, gives to family and friends. He carries it with him and charges it on his nightstand every night. It is on a personal/family plan with his cellphone service provider. In the four years preceding 4/28/2020 (the date Shannon's original Complaint was filed), GoSmith sent Shannon at least 80 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Shannon seeks an amount not less than \$120,000 for at least 80 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$120,000 for at least 80 knowing and willful violations of 47 U.S.C. § 227(c).

Alternatively, Shannon seeks an amount not less than \$40,000 for at least 80 negligent

1 violations of 47 U.S.C. § 227(b), and not less than \$40,000 for at least 80 negligent violations
2 of 47 U.S.C. § 227(c).

3 854. Scot Shaw personally owns and uses the cellular phone number xxx-xxx-4027.
4 This number is a residential telephone subscription. On 11/10/2009, Shaw registered this
5 number on the National Do Not Call Registry. In the four years preceding 4/28/2020 (the date
6 Shaw's original Complaint was filed), GoSmith sent Shaw at least 42 telemarketing text
7 messages at this number. GoSmith knowingly and willfully sent these text messages using an
8 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
9 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
10 procedures that meet the minimum standards required for telemarketing in violation of 47
11 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
12 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Shaw
13 within a 12-month period after Shaw was registered on the National Do Not Call Registry,
14 including but not limited to the period between 3/23/2017 and 7/8/2017. Shaw seeks an amount
15 not less than \$63,000 for at least 42 knowing and willful violations of 47 U.S.C. § 227(b), and
16 an amount not less than \$63,000 for at least 42 knowing and willful violations of 47 U.S.C. §
17 227(c). Alternatively, Shaw seeks an amount not less than \$21,000 for at least 42 negligent
18 violations of 47 U.S.C. § 227(b), and not less than \$21,000 for at least 42 negligent violations
19 of 47 U.S.C. § 227(c).

20 855. Richard Shay personally owns and uses the cellular phone number xxx-xxx-4282.
21 This number is a residential telephone subscription. On 4/1/2011, Shay registered this number
22 on the National Do Not Call Registry. In the four years preceding 4/22/2020 (the date Shay's
23 original Complaint was filed), GoSmith sent Shay at least 46 telemarketing text messages at
24 this number. GoSmith knowingly and willfully sent these text messages using an automatic
25 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
26 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
27 procedures that meet the minimum standards required for telemarketing in violation of 47

U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Shay within a 12-month period after Shay was registered on the National Do Not Call Registry, including but not limited to the period between 4/22/2016 and 4/22/2017. Shay seeks an amount not less than \$69,000 for at least 46 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$69,000 for at least 46 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Shay seeks an amount not less than \$23,000 for at least 46 negligent violations of 47 U.S.C. § 227(b), and not less than \$23,000 for at least 46 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Shay at least 46 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which Shay seeks an amount not less than \$23,000, attorney's fees, injunctive relief, and treble damages.

856. Chris Sheehan personally owns and uses the cellular phone number xxx-xxx-2066. This number is a residential telephone subscription and is Sheehan's only phone number. It is his personal cell phone, which he uses for all personal calls, gives to family and friends. He carries it with him and charges it on his nightstand every night. It is on a personal/family plan with his cellphone service provider. In the four years preceding 4/28/2020 (the date Sheehan's original Complaint was filed), GoSmith sent Sheehan at least 15 telemarketing text messages and calls at this number. Every time, Sheehan replied "STOP," but the messages would keep coming. The messages came from all different numbers. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Sheehan seeks an amount not less than \$22,500 for at least 15 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$22,500 for at least 15 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Sheehan seeks an amount not less than \$7,500

1 for at least 15 negligent violations of 47 U.S.C. § 227(b), and not less than \$7,500 for at least
2 15 negligent violations of 47 U.S.C. § 227(c).

3 857. Lyle Douglas Sheneman personally owns and uses the cellular phone number
4 xxx-xxx-9607. This number is a residential telephone subscription and is Sheehan's personal
5 phone number. It is his personal cell phone, which he uses for all personal calls, and which he
6 gives to family and friends. He carries it with him and charges it on his nightstand every night.
7 It is on a personal/family plan with his cellphone service provider. Sheneman also has a
8 business-only cell phone ending in -5151, which GoSmith also texted. In the four years
9 preceding 4/22/2020 (the date Sheneman's original Complaint was filed), GoSmith sent
10 Sheneman's personal cell phone number at least 51 telemarketing text messages and phone
11 calls, and an unknown number of text messages and phone calls to his business cell phone.
12 GoSmith knowingly and willfully sent these text messages using an automatic telephone
13 dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7).
14 GoSmith knowingly and willfully sent these text messages without instituting procedures that
15 meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and
16 47 C.F.R. § 64.1200(d). Sheneman seeks an amount not less than \$76,500 for at least 51
17 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$76,500 for
18 at least 51 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Sheneman
19 seeks an amount not less than \$25,500 for at least 51 negligent violations of 47 U.S.C. §
20 227(b), and not less than \$25,500 for at least 51 negligent violations of 47 U.S.C. § 227(c).

21 858. Dennis Shepherd personally owns and uses the cellular phone number xxx-xxx-
22 6735. This number is a residential telephone subscription. In the four years preceding
23 4/30/2020 (the date Shepherd's original Complaint was filed), GoSmith sent Shepherd at least
24 16 telemarketing text messages at this number. GoSmith knowingly and willfully sent these
25 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
26 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
27 text messages without instituting procedures that meet the minimum standards required for

1 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Shepherd seeks
2 an amount not less than \$24,000 for at least 16 knowing and willful violations of 47 U.S.C. §
3 227(b), and an amount not less than \$24,000 for at least 16 knowing and willful violations of
4 47 U.S.C. § 227(c). Alternatively, Shepherd seeks an amount not less than \$8,000 for at least
5 16 negligent violations of 47 U.S.C. § 227(b), and not less than \$8,000 for at least 16 negligent
6 violations of 47 U.S.C. § 227(c).

7 859. Svetlana Shewaye personally owns and uses the cellular phone number xxx-xxx-
8 7441. This number is a residential telephone subscription. On 6/2/2009, Shewaye registered
9 this number on the National Do Not Call Registry. In the four years preceding 4/28/2020 (the
10 date Shewaye's original Complaint was filed), GoSmith sent Shewaye at least 3 telemarketing
11 text messages at this number. GoSmith knowingly and willfully sent these text messages using
12 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
13 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
14 instituting procedures that meet the minimum standards required for telemarketing in violation
15 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and
16 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to
17 Shewaye within a 12-month period after Shewaye was registered on the National Do Not Call
18 Registry, including but not limited to the period between 7/22/2017 and 7/26/2017. Shewaye
19 seeks an amount not less than \$4,500 for at least 3 knowing and willful violations of 47 U.S.C.
20 § 227(b), and an amount not less than \$4,500 for at least 3 knowing and willful violations of 47
21 U.S.C. § 227(c). Alternatively, Shewaye seeks an amount not less than \$1,500 for at least 3
22 negligent violations of 47 U.S.C. § 227(b), and not less than \$1,500 for at least 3 negligent
23 violations of 47 U.S.C. § 227(c).

24 860. Charles Shields personally owns and uses the cellular phone number xxx-xxx-
25 7247. This number is a residential telephone subscription and is Shields's personal phone
26 number. It is his personal cell phone, which he uses for all personal calls, and which he gives to
27 family and friends. He carries it with him and charges it on his nightstand every night. It is on a

1 personal/family plan with his cellphone service provider. In the four years preceding
2 01/30/2020 (the date Shields's original Complaint was filed), GoSmith sent Shields at least 144
3 telemarketing text messages at this number. Upon information and belief, the actual number of
4 violations was much higher. Shields states that Defendants were 'aggravating me to death,' and
5 that he received at least 4-5 telemarketing text solicitations per week for years. GoSmith
6 knowingly and willfully sent these text messages using an automatic telephone dialing system
7 in violation of 47 U.S.C. § 227(b)(1)(A)(iii). GoSmith knowingly and willfully sent these text
8 messages without instituting procedures that meet the minimum standards required for
9 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Shields seeks an
10 amount not less than \$216,000 for at least 144 knowing and willful violations of 47 U.S.C. §
11 227(b), and an amount not less than \$216,000 for at least 144 knowing and willful violations of
12 47 U.S.C. § 227(c). Alternatively, Shields seeks an amount not less than \$72,000 for at least
13 144 negligent violations of 47 U.S.C. § 227(b), and \$72,000 for at least 144 negligent
14 violations of 47 U.S.C. § 227(c).

15 861. Timothy Shiner personally owns and uses the cellular phone number xxx-xxx-
16 6914. This number is a residential telephone subscription and is Shiner's personal phone
17 number. It is his personal cell phone, which he uses for all personal calls, and which he gives to
18 family and friends. He carries it with him and charges it on his nightstand every night. It is on a
19 personal/family plan with his cellphone service provider. On 12/5/2014, Shiner registered this
20 number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date
21 Shiner's original Complaint was filed), GoSmith sent Shiner at least 54 telemarketing text
22 messages at this number, sending 1-2 messages a month, about 20 each year. GoSmith
23 knowingly and willfully sent these text messages using an automatic telephone dialing system
24 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith
25 knowingly and willfully sent these text messages without instituting procedures that meet the
26 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
27 § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith

1 knowingly and willfully sent at least 2 text messages to Shiner within a 12-month period after
2 Shiner was registered on the National Do Not Call Registry, including but not limited to the
3 period between 5/13/2017 and 5/13/2018. Shiner seeks an amount not less than \$81,000 for at
4 least 54 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
5 \$81,000 for at least 54 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
6 Shiner seeks an amount not less than \$27,000 for at least 54 negligent violations of 47 U.S.C. §
7 227(b), and not less than \$27,000 for at least 54 negligent violations of 47 U.S.C. § 227(c).

8 862. Christy Sholes personally owns and uses the cellular phone number xxx-xxx-
9 6425. This number is a residential telephone subscription. In the four years preceding
10 1/30/2020 (the date Sholes's original Complaint was filed), GoSmith sent Sholes at least 160
11 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
12 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
13 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
14 text messages without instituting procedures that meet the minimum standards required for
15 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Sholes seeks an
16 amount not less than \$240,000 for at least 160 knowing and willful violations of 47 U.S.C. §
17 227(b), and an amount not less than \$240,000 for at least 160 knowing and willful violations of
18 47 U.S.C. § 227(c). Alternatively, Sholes seeks an amount not less than \$80,000 for at least
19 160 negligent violations of 47 U.S.C. § 227(b), and not less than \$80,000 for at least 160
20 negligent violations of 47 U.S.C. § 227(c).

21 863. Shawn Shore personally owns and uses the cellular phone number xxx-xxx-7380.
22 This number is a residential telephone subscription. On 7/9/2003, Shore registered this number
23 on the National Do Not Call Registry. In the four years preceding 4/28/2020 (the date Shore's
24 original Complaint was filed), GoSmith sent Shore at least 52 telemarketing text messages at
25 this number. GoSmith knowingly and willfully sent these text messages using an automatic
26 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
27 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting

procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Shore within a 12-month period after Shore was registered on the National Do Not Call Registry, including but not limited to the period between 4/28/2016 and 4/28/2017. Shore seeks an amount not less than \$78,000 for at least 52 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$78,000 for at least 52 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Shore seeks an amount not less than \$26,000 for at least 52 negligent violations of 47 U.S.C. § 227(b), and not less than \$26,000 for at least 52 negligent violations of 47 U.S.C. § 227(c).

864. Debbie Shulda personally owns and uses the cellular phone number xxx-xxx-9061. This number is a residential telephone subscription. In the four years preceding 4/27/2020 (the date Shulda's original Complaint was filed), GoSmith sent Shulda at least 187 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Shulda seeks an amount not less than \$280,500 for at least 187 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$280,500 for at least 187 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Shulda seeks an amount not less than \$93,500 for at least 187 negligent violations of 47 U.S.C. § 227(b), and not less than \$93,500 for at least 187 negligent violations of 47 U.S.C. § 227(c).

865. Christopher Siegel personally owns and uses the cellular phone number xxx-xxx-8739. This number is a residential telephone subscription. In the four years preceding 4/27/2020 (the date Siegel's original Complaint was filed), GoSmith sent Siegel at least 1,673 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text

1 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
2 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
3 text messages without instituting procedures that meet the minimum standards required for
4 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Siegel seeks an
5 amount not less than \$2,509,500 for at least 1,673 knowing and willful violations of 47 U.S.C.
6 § 227(b), and an amount not less than \$2,509,500 for at least 1,673 knowing and willful
7 violations of 47 U.S.C. § 227(c). Alternatively, Siegel seeks an amount not less than \$836,500
8 for at least 1,673 negligent violations of 47 U.S.C. § 227(b), and not less than \$836,500 for at
9 least 1,673 negligent violations of 47 U.S.C. § 227(c).

10 866. Valentin Siller personally owns and uses the cellular phone number xxx-xxx-
11 2488. This number is a residential telephone subscription. In the four years preceding
12 1/30/2020 (the date Siller's original Complaint was filed), GoSmith sent Siller at least 34
13 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
14 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
15 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
16 text messages without instituting procedures that meet the minimum standards required for
17 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Siller seeks an
18 amount not less than \$51,000 for at least 34 knowing and willful violations of 47 U.S.C. §
19 227(b), and an amount not less than \$51,000 for at least 34 knowing and willful violations of
20 47 U.S.C. § 227(c). Alternatively, Siller seeks an amount not less than \$17,000 for at least 34
21 negligent violations of 47 U.S.C. § 227(b), and not less than \$17,000 for at least 34 negligent
22 violations of 47 U.S.C. § 227(c).

23 867. Joshua Simonson personally owns and uses the cellular phone number xxx-xxx-
24 7717. This number is a residential telephone subscription. In the four years preceding
25 4/28/2020 (the date Simonson's original Complaint was filed), GoSmith sent Simonson at least
26 11 telemarketing text messages at this number. GoSmith knowingly and willfully sent these
27 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §

1 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
2 text messages without instituting procedures that meet the minimum standards required for
3 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Simonson seeks
4 an amount not less than \$16,500 for at least 11 knowing and willful violations of 47 U.S.C. §
5 227(b), and an amount not less than \$16,500 for at least 11 knowing and willful violations of
6 47 U.S.C. § 227(c). Alternatively, Simonson seeks an amount not less than \$5,500 for at least
7 11 negligent violations of 47 U.S.C. § 227(b), and not less than \$5,500 for at least 11 negligent
8 violations of 47 U.S.C. § 227(c).

9 868. Max Sisson personally owns and uses the cellular phone number xxx-xxx-1629.
10 This number is a residential telephone subscription and is Sisson's only phone number. It is his
11 personal cell phone, which he uses for all personal calls, and which he gives to family and
12 friends. He carries it with him and charges it on his nightstand every night. It is on a
13 personal/family plan with his cellphone service provider. In the four years preceding 1/30/2020
14 (the date Sisson's original Complaint was filed), GoSmith sent Sisson at least 2 telemarketing
15 text messages and/or phone calls at this number. Upon information and belief, the actual
16 number of text messages sent and phone calls made is much higher. GoSmith knowingly and
17 willfully sent these text messages and/or phone calls using an automatic telephone dialing
18 system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith
19 knowingly and willfully sent these text messages and/or phone calls without instituting
20 procedures that meet the minimum standards required for telemarketing in violation of 47
21 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Sisson seeks an amount not less than \$3,000 for at
22 least 2 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
23 \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
24 Sisson seeks an amount not less than \$1,000 for at least 2 negligent violations of 47 U.S.C. §
25 227(b), and not less than \$1,000 for at least 2 negligent violations of 47 U.S.C. § 227(c).

26 869. Ben Skelton personally owns and uses the cellular phone number xxx-xxx-3509.

27 This number is a residential telephone subscription and is on a personal plan with his cellphone

1 service provider. In the four years preceding 1/30/2020 (the date Skelton's original Complaint
2 was filed), GoSmith sent Skelton at least 8 telemarketing text messages at this number.
3 GoSmith knowingly and willfully sent these text messages using an automatic telephone
4 dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7).
5 GoSmith knowingly and willfully sent these text messages without instituting procedures that
6 meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and
7 47 C.F.R. § 64.1200(d). Skelton seeks an amount not less than \$12,000 for at least 8 knowing
8 and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$12,000 for at least 8
9 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Skelton seeks an amount
10 not less than \$4,000 for at least 8 negligent violations of 47 U.S.C. § 227(b), and not less than
11 \$4,000 for at least 8 negligent violations of 47 U.S.C. § 227(c).

12 870. Daniel Skinner personally owns and uses the cellular phone number xxx-xxx-
13 8616. This number is a residential telephone subscription and is Skinner's only phone number.
14 It is his personal cell phone, which he uses for all personal calls, and which he gives to family
15 and friends. He carries it with him and charges it on his nightstand every night. It is on a
16 personal/family plan with his cellphone service provider. In the four years preceding 4/22/2020
17 (the date Skinner's original Complaint was filed), GoSmith sent Skinner at least 390
18 telemarketing text messages and phone calls at this number. The calls and texts started out
19 heavy, arriving on a daily basis and then tapered off at the end. GoSmith knowingly and
20 willfully sent these text messages using an automatic telephone dialing system in violation of
21 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully
22 sent these text messages without instituting procedures that meet the minimum standards
23 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d).
24 Skinner seeks an amount not less than \$585,000 for at least 390 knowing and willful violations
25 of 47 U.S.C. § 227(b), and an amount not less than \$585,000 for at least 390 knowing and
26 willful violations of 47 U.S.C. § 227(c). Alternatively, Skinner seeks an amount not less than
27

1 \$195,000 for at least 390 negligent violations of 47 U.S.C. § 227(b), and not less than
 2 \$195,000 for at least 390 negligent violations of 47 U.S.C. § 227(c).

3 871. Shane Skyler personally owns and uses the cellular phone number xxx-xxx-0843.
 4 This number is a residential telephone subscription, but Skyler uses this for his business line
 5 only. In the four years preceding 4/28/2020 (the date Skyler's original Complaint was filed),
 6 GoSmith sent Skyler at least 6 telemarketing text messages at this number. GoSmith
 7 knowingly and willfully sent these text messages using an automatic telephone dialing system
 8 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith
 9 knowingly and willfully sent these text messages without instituting procedures that meet the
 10 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
 11 § 64.1200(d). Skyler seeks an amount not less than \$9,000 for at least 6 knowing and willful
 12 violations of 47 U.S.C. § 227(b). Alternatively, Skyler seeks an amount not less than \$3,000
 13 for at least 6 negligent violations of 47 U.S.C. § 227(b).

14 872. Julie Skymba personally owns and uses the cellular phone number xxx-xxx-5759.
 15 This number is a residential telephone subscription. On 1/13/2006, Skymba registered this
 16 number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date
 17 Skymba's original Complaint was filed), GoSmith sent Skymba at least 5 telemarketing text
 18 messages at this number. GoSmith knowingly and willfully sent these text messages using an
 19 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
 20 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
 21 procedures that meet the minimum standards required for telemarketing in violation of 47
 22 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
 23 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Skymba
 24 within a 12-month period after Skymba was registered on the National Do Not Call Registry,
 25 including but not limited to the period between 6/7/2017 and 7/10/2017. Skymba seeks an
 26 amount not less than \$7,500 for at least 5 knowing and willful violations of 47 U.S.C. § 227(b),
 27 and an amount not less than \$7,500 for at least 5 knowing and willful violations of 47 U.S.C. §

1 227(c). Alternatively, Skymba seeks an amount not less than \$2,500 for at least 5 negligent
2 violations of 47 U.S.C. § 227(b), and not less than \$2,500 for at least 5 negligent violations of
3 47 U.S.C. § 227(c).

4 873. Claude Slate personally owns and uses the cellular phone number xxx-xxx-0263.
5 This number is a residential telephone subscription. On 8/29/2019, Slate registered this number
6 on the National Do Not Call Registry. In the four years preceding 4/28/2020 (the date Slate's
7 original Complaint was filed), GoSmith sent Slate at least 22 telemarketing text messages at
8 this number. GoSmith knowingly and willfully sent these text messages using an automatic
9 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
10 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
11 procedures that meet the minimum standards required for telemarketing in violation of 47
12 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
13 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Slate
14 within a 12-month period after Slate was registered on the National Do Not Call Registry,
15 including but not limited to the period between 8/29/2019 and 1/30/2020. Slate seeks an
16 amount not less than \$33,000 for at least 22 knowing and willful violations of 47 U.S.C. §
17 227(b), and an amount not less than \$33,000 for at least 22 knowing and willful violations of
18 47 U.S.C. § 227(c). Alternatively, Slate seeks an amount not less than \$11,000 for at least 22
19 negligent violations of 47 U.S.C. § 227(b), and not less than \$11,000 for at least 22 negligent
20 violations of 47 U.S.C. § 227(c).

21 874. Phil Slezak personally owns and uses the cellular phone number xxx-xxx-4844.
22 This number is a residential telephone subscription, but Slezak uses it for business only. On
23 12/15/2004, Slezak registered this number on the National Do Not Call Registry. In the four
24 years preceding 1/30/2020 (the date Slezak's original Complaint was filed), GoSmith sent
25 Slezak at least 144 telemarketing text messages at this number, which Slezak received from
26 Defendants at least daily. Upon information and belief, the actual number of violations is much
27 higher. GoSmith knowingly and willfully sent these text messages using an automatic

1 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
2 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
3 procedures that meet the minimum standards required for telemarketing in violation of 47
4 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
5 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Slezak
6 within a 12-month period after Slezak was registered on the National Do Not Call Registry,
7 including but not limited to the period between 5/3/2017 and 5/3/2018. Slezak seeks an amount
8 not less than \$216,000 for at least 144 knowing and willful violations of 47 U.S.C. § 227(b).
9 Alternatively, Slezak seeks an amount not less than \$72,000 for at least 144 negligent
10 violations of 47 U.S.C. § 227(b).

11 875. Michelle Slocum personally owns and uses the cellular phone number xxx-xxx-
12 9945. This number is a business cellular phone. In the four years preceding 1/30/2020 (the date
13 Slocum's original Complaint was filed), GoSmith sent Slocum at least 9 telemarketing text
14 messages at this number. GoSmith knowingly and willfully sent these text messages using an
15 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
16 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
17 procedures that meet the minimum standards required for telemarketing in violation of 47
18 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Slocum seeks an amount not less than \$13,500 for
19 at least 9 knowing and willful violations of 47 U.S.C. § 227(b). Alternatively, Slocum seeks an
20 amount not less than \$4,500 for at least 9 negligent violations of 47 U.S.C. § 227(b).

21 876. David Smalt personally owns and uses the cellular phone number xxx-xxx-7013.
22 This number is a residential telephone subscription. In the four years preceding 1/30/2020 (the
23 date Smalt's original Complaint was filed), GoSmith sent Smalt at least 54 telemarketing text
24 messages at this number. GoSmith knowingly and willfully sent these text messages using an
25 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
26 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
27 procedures that meet the minimum standards required for telemarketing in violation of 47

1 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Smalt seeks an amount not less than \$81,000 for
2 at least 54 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
3 \$81,000 for at least 54 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
4 Smalt seeks an amount not less than \$27,000 for at least 54 negligent violations of 47 U.S.C. §
5 227(b), and not less than \$27,000 for at least 54 negligent violations of 47 U.S.C. § 227(c).

6 877. Corey Smiley personally owns and uses the cellular phone number xxx-xxx-3171.
7 This number is a residential telephone subscription and is Smiley's only phone number. It is his
8 personal cell phone, which he uses for all personal calls, and which he gives to family and
9 friends. He carries it with him and charges it on his nightstand every night. It is on a
10 personal/family plan with his cellphone service provider. In the four years preceding 4/27/2020
11 (the date Smiley's original Complaint was filed), GoSmith sent Smiley at least 77
12 telemarketing text messages and calls at this number, at least once or twice a day in the
13 beginning, which tapered off eventually. GoSmith knowingly and willfully sent these text
14 messages and calls using an automatic telephone dialing system in violation of 47 U.S.C. §
15 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
16 text messages and calls without instituting procedures that meet the minimum standards
17 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d).
18 Smiley seeks an amount not less than \$115,500 for at least 77 knowing and willful violations
19 of 47 U.S.C. § 227(b), and an amount not less than \$115,500 for at least 77 knowing and
20 willful violations of 47 U.S.C. § 227(c). Alternatively, Smiley seeks an amount not less than
21 \$38,500 for at least 77 negligent violations of 47 U.S.C. § 227(b), and not less than \$38,500 for
22 at least 77 negligent violations of 47 U.S.C. § 227(c).

23 878. Jeremy Smith personally owns and uses the cellular phone number xxx-xxx-6158.
24 This number is a residential telephone subscription and is Smith's only phone number. It is his
25 personal cell phone, which he uses for all personal calls, and which he gives to family and
26 friends. He carries it with him and charges it in his house every night. It is on a personal/family
27 plan with his cellphone service provider. In the four years preceding 4/21/2020 (the date

Smith's original Complaint was filed), GoSmith sent Smith at least 27 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Smith seeks an amount not less than \$40,500 for at least 27 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$40,500 for at least 27 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Smith seeks an amount not less than \$13,500 for at least 27 negligent violations of 47 U.S.C. § 227(b), and not less than \$13,500 for at least 27 negligent violations of 47 U.S.C. § 227(c).

879. Billy Smith personally owns and uses the cellular phone number xxx-xxx-9878. This number is a residential telephone subscription. On 8/23/2005, Smith registered this number on the National Do Not Call Registry. In the four years preceding 4/22/2020 (the date Smith's original Complaint was filed), GoSmith sent Smith at least 12 telemarketing text messages and calls at this number. Smith asked GoSmith to stop multiple times, but the texts and calls got more frequent. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Smith within a 12-month period after Smith was registered on the National Do Not Call Registry, including but not limited to the period between 4/22/2016 and 4/22/2017. Smith seeks an amount not less than \$18,000 for at least 12 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$18,000 for at least 12 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Smith seeks an amount not less than \$6,000 for at least 12 negligent violations of 47 U.S.C. § 227(b), and not less than \$6,000 for at least 12

1 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Smith at least 12 commercial
2 text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined
3 number of telephone solicitations in violation of RCW § 80.36.390, for which Smith seeks an
4 amount not less than \$6,000, attorney's fees, injunctive relief, and treble damages.

5 880. Josh Sneed personally owns and uses the cellular phone number xxx-xxx-7016.
6 This number is a residential telephone subscription and is Sneed's only phone number. It is his
7 personal cell phone, which he uses for all personal calls, and which he gives to family and
8 friends. He carries it with him and charges it in his house every night. It is on a personal/family
9 plan with his cellphone service provider. In the four years preceding 4/21/2020 (the date
10 Sneed's original Complaint was filed), GoSmith sent Sneed at least 360 telemarketing text
11 messages at this number, at least 2 texts per day. GoSmith knowingly and willfully sent these
12 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
13 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
14 text messages without instituting procedures that meet the minimum standards required for
15 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Sneed seeks an
16 amount not less than \$540,000 for at least 360 knowing and willful violations of 47 U.S.C. §
17 227(b), and an amount not less than \$540,000 for at least 360 knowing and willful violations of
18 47 U.S.C. § 227(c). Alternatively, Sneed seeks an amount not less than \$180,000 for at least
19 360 negligent violations of 47 U.S.C. § 227(b), and not less than \$180,000 for at least 360
20 negligent violations of 47 U.S.C. § 227(c).

21 881. Allen Soule personally owns and uses the cellular phone number xxx-xxx-5158.
22 This number is a residential telephone subscription and is Soule's personal cell phone. In the
23 four years preceding 4/28/2020 (the date Soule's original Complaint was filed), GoSmith sent
24 Soule at least 43 telemarketing text messages and calls at this number. GoSmith called Soule
25 several times a day, but he only answered about 10 times. The final time Soule answered, he
26 told them he wasn't interested and blocked their numbers. GoSmith knowingly and willfully
27 sent these text messages and made these calls using an automatic telephone dialing system in

1 violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly
2 and willfully sent these text messages and calls without instituting procedures that meet the
3 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
4 § 64.1200(d). Soule seeks an amount not less than \$64,500 for at least 43 knowing and willful
5 violations of 47 U.S.C. § 227(b), and an amount not less than \$64,500 for at least 43 knowing
6 and willful violations of 47 U.S.C. § 227(c). Alternatively, Soule seeks an amount not less than
7 \$21,500 for at least 43 negligent violations of 47 U.S.C. § 227(b), and not less than \$21,500 for
8 at least 43 negligent violations of 47 U.S.C. § 227(c).

9 882. Natahsya Spears personally owns and uses the cellular phone number xxx-xxx-
10 5227. This number is a residential telephone subscription and is Spears's only phone number. It
11 is her personal cell phone, which she uses for all personal calls, and which she gives to family
12 and friends. She carries it with her and charges it in her room every night. It is on a
13 personal/family plan with her cellphone service provider. In the four years preceding 1/30/2020
14 (the date Spears's original Complaint was filed), GoSmith sent Spears at least 56 telemarketing
15 text messages at this number, at a rate of about 4 per week. GoSmith knowingly and willfully
16 sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C.
17 § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
18 text messages without instituting procedures that meet the minimum standards required for
19 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Spears seeks an
20 amount not less than \$84,000 for at least 56 knowing and willful violations of 47 U.S.C. §
21 227(b), and an amount not less than \$84,000 for at least 56 knowing and willful violations of
22 47 U.S.C. § 227(c). Alternatively, Spears seeks an amount not less than \$28,000 for at least 56
23 negligent violations of 47 U.S.C. § 227(b), and not less than \$28,000 for at least 56 negligent
24 violations of 47 U.S.C. § 227(c).

25 883. Michael Spencer personally owns and uses the cellular phone number xxx-xxx-
26 0961. This number is a residential telephone subscription. On 8/26/2008, Spencer registered
27 this number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the

1 date Spencer's original Complaint was filed), GoSmith sent Spencer at least 2 telemarketing
2 text messages at this number. GoSmith knowingly and willfully sent these text messages using
3 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
4 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
5 instituting procedures that meet the minimum standards required for telemarketing in violation
6 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and
7 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to
8 Spencer within a 12-month period after Spencer was registered on the National Do Not Call
9 Registry, including but not limited to the period between 5/28/2017 and 6/29/2017. Spencer
10 seeks an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C.
11 § 227(b), and an amount not less than \$3,000 for at least 2 knowing and willful violations of 47
12 U.S.C. § 227(c). Alternatively, Spencer seeks an amount not less than \$1,000 for at least 2
13 negligent violations of 47 U.S.C. § 227(b), and not less than \$1,000 for at least 2 negligent
14 violations of 47 U.S.C. § 227(c).

15 884. Edward Spiegelberg personally owns and uses the cellular phone number xxx-
16 xxx-7135. This number is a residential telephone subscription and is Spiegelberg's only phone
17 number. It is her personal cell phone, which she uses for all personal calls, and which she gives
18 to family and friends. She carries it with her and charges it in her room every night. It is on a
19 personal/family plan with her cellphone service provider. In the four years preceding 4/28/2020
20 (the date Spiegelberg's original Complaint was filed), GoSmith sent Spiegelberg at least 148
21 telemarketing text messages at this number. At first, it was 1-2 texts a day for many months. It
22 then became more random. However, Defendants are STILL texting Speigelberg through
23 Porch. Defendants knowingly and willfully sent these text messages and calls using an
24 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
25 § 64.1200(a)(7). Defendants knowingly and willfully sent these text messages without
26 instituting procedures that meet the minimum standards required for telemarketing in violation
27 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Spiegelberg seeks an amount not less than

1 \$222,000 for at least 148 knowing and willful violations of 47 U.S.C. § 227(b), and an amount
2 not less than \$222,000 for at least 148 knowing and willful violations of 47 U.S.C. § 227(c).
3 Alternatively, Spiegelberg seeks an amount not less than \$74,000 for at least 148 negligent
4 violations of 47 U.S.C. § 227(b), and not less than \$74,000 for at least 148 negligent violations
5 of 47 U.S.C. § 227(c).

6 885. Raymond Spinell personally owns and uses the cellular phone number xxx-xxx-
7 9395. This number is a residential telephone subscription and is Spinell's only phone number.
8 It is his personal cell phone, which he uses for all personal calls, and which he gives to family
9 and friends. He carries it with him and charges it in his room every night. It is on a
10 personal/family plan with his cellphone service provider. In the four years preceding 1/30/2020
11 (the date Spinell's original Complaint was filed), GoSmith sent Spinell at least 68
12 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
13 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
14 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
15 text messages without instituting procedures that meet the minimum standards required for
16 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Spinell seeks an
17 amount not less than \$102,000 for at least 68 knowing and willful violations of 47 U.S.C. §
18 227(b), and an amount not less than \$102,000 for at least 68 knowing and willful violations of
19 47 U.S.C. § 227(c). Alternatively, Spinell seeks an amount not less than \$34,000 for at least 68
20 negligent violations of 47 U.S.C. § 227(b), and not less than \$34,000 for at least 68 negligent
21 violations of 47 U.S.C. § 227(c).

22 886. Jonathan Spry personally owns and uses the cellular phone number xxx-xxx-
23 8206. This number is a residential telephone subscription and is Spry's only phone number. It
24 is his personal cell phone, which he uses for all personal calls, and which he gives to family
25 and friends. He carries it with him and charges it in his room every night. It is on a
26 personal/family plan with his cellphone service provider. On 3/4/2009, Spry registered this
27 number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date

1 Spry's original Complaint was filed), GoSmith sent Spry at least 12 telemarketing text
2 messages at this number. GoSmith knowingly and willfully sent these text messages using an
3 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
4 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
5 procedures that meet the minimum standards required for telemarketing in violation of 47
6 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
7 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Spry
8 within a 12-month period after Spry was registered on the National Do Not Call Registry,
9 including but not limited to the period between 4/23/2017 and 4/23/2018. Spry seeks an
10 amount not less than \$18,000 for at least 12 knowing and willful violations of 47 U.S.C. §
11 227(b), and an amount not less than \$18,000 for at least 12 knowing and willful violations of
12 47 U.S.C. § 227(c). Alternatively, Spry seeks an amount not less than \$6,000 for at least 12
13 negligent violations of 47 U.S.C. § 227(b), and not less than \$6,000 for at least 12 negligent
14 violations of 47 U.S.C. § 227(c).

15 887. Nick Squires personally owns and uses the cellular phone number xxx-xxx-9362.
16 This number is a residential telephone subscription. In the four years preceding 4/28/2020 (the
17 date Squires's original Complaint was filed), GoSmith sent Squires at least 133 telemarketing
18 text messages at this number. GoSmith knowingly and willfully sent these text messages using
19 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
20 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
21 instituting procedures that meet the minimum standards required for telemarketing in violation
22 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Squires seeks an amount not less than
23 \$199,500 for at least 133 knowing and willful violations of 47 U.S.C. § 227(b), and an amount
24 not less than \$199,500 for at least 133 knowing and willful violations of 47 U.S.C. § 227(c).
25 Alternatively, Squires seeks an amount not less than \$66,500 for at least 133 negligent
26 violations of 47 U.S.C. § 227(b), and not less than \$66,500 for at least 133 negligent violations
27 of 47 U.S.C. § 227(c).

1 888. Lynda Stack personally owns and uses the cellular phone number xxx-xxx-3936.
2 This number is a residential telephone subscription. In the four years preceding 4/21/2020 (the
3 date Stack's original Complaint was filed), GoSmith sent Stack at least 4 telemarketing text
4 messages at this number. GoSmith knowingly and willfully sent these text messages using an
5 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
6 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
7 procedures that meet the minimum standards required for telemarketing in violation of 47
8 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Stack seeks an amount not less than \$6,000 for at
9 least 4 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
10 \$6,000 for at least 4 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Stack
11 seeks an amount not less than \$2,000 for at least 4 negligent violations of 47 U.S.C. § 227(b),
12 and not less than \$2,000 for at least 4 negligent violations of 47 U.S.C. § 227(c).

13 889. Micah Stafford personally owns and uses the cellular phone number xxx-xxx-
14 9423. This number is a residential telephone subscription. In the four years preceding
15 1/30/2020 (the date Stafford's original Complaint was filed), GoSmith sent Stafford at least 103
16 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
17 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
18 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
19 text messages without instituting procedures that meet the minimum standards required for
20 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Stafford seeks an
21 amount not less than \$154,500 for at least 103 knowing and willful violations of 47 U.S.C. §
22 227(b), and an amount not less than \$154,500 for at least 103 knowing and willful violations of
23 47 U.S.C. § 227(c). Alternatively, Stafford seeks an amount not less than \$51,500 for at least
24 103 negligent violations of 47 U.S.C. § 227(b), and not less than \$51,500 for at least 103
25 negligent violations of 47 U.S.C. § 227(c).

26 890. Jeanette Stanley personally owns and uses the cellular phone number xxx-xxx-
27 1655. This number is a residential telephone subscription. In the four years preceding

1 1/30/2020 (the date Stanley's original Complaint was filed), GoSmith sent Stanley at least 9
2 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
3 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
4 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
5 text messages without instituting procedures that meet the minimum standards required for
6 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Stanley seeks an
7 amount not less than \$13,500 for at least 9 knowing and willful violations of 47 U.S.C. §
8 227(b), and an amount not less than \$13,500 for at least 9 knowing and willful violations of 47
9 U.S.C. § 227(c). Alternatively, Stanley seeks an amount not less than \$4,500 for at least 9
10 negligent violations of 47 U.S.C. § 227(b), and not less than \$4,500 for at least 9 negligent
11 violations of 47 U.S.C. § 227(c).

12 891. Nick Stanley personally owns and uses the cellular phone number xxx-xxx-8490.
13 This number is a residential telephone subscription and is Stanley's only phone number. It is
14 his personal cell phone, which he uses for all personal calls, and which he gives to family and
15 friends. He carries it with him and charges it in his room every night. It is on a personal/family
16 plan with his cellphone service provider. In the four years preceding 4/22/2020 (the date
17 Stanley's original Complaint was filed), GoSmith sent Stanley at least 104 telemarketing text
18 messages and calls at this number. Stanley noticed that GoSmith was spoofing local numbers
19 in order to trick him into answering or returning their calls. If he missed a call, he would try to
20 call them back, only to speak to someone who had no idea what he was talking about and was
21 not affiliated with GoSmith at all. His own number was spoofed, and he ended up in a
22 conversation with multiple people whose numbers GoSmith had used to call and text each
23 other on behalf of GoSmith, but who really were innocent victims of phone number identity
24 theft. GoSmith knowingly and willfully sent these text messages and calls using an automatic
25 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
26 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages and calls without
27 instituting procedures that meet the minimum standards required for telemarketing in violation

of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Stanley seeks an amount not less than \$156,000 for at least 104 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$156,000 for at least 104 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Stanley seeks an amount not less than \$52,000 for at least 104 negligent violations of 47 U.S.C. § 227(b), and not less than \$52,000 for at least 104 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Stanley at least 104 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which Stanley seeks an amount not less than \$52,000, attorney's fees, injunctive relief, and treble damages.

892. Brandon Starkes personally owns and uses the cellular phone number xxx-xxx-7852. This number is a residential telephone subscription that Starkes uses for both business and personal use. In the four years preceding 1/30/2020 (the date Starkes's original Complaint was filed), GoSmith sent Starkes at least 343 telemarketing text messages at this number, on occasion messaging Starkes 4-5 per day, using a new number to contact Starkes each time. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Starkes seeks an amount not less than \$514,500 for at least 343 knowing and willful violations of 47 U.S.C. § 227(b). Alternatively, Starkes seeks an amount not less than \$171,500 for at least 343 negligent violations of 47 U.S.C. § 227(b).

893. LaShanette Starks personally owns and uses the cellular phone number xxx-xxx-3471. This number is a residential telephone subscription. In the four years preceding 4/28/2020 (the date Starks's original Complaint was filed), GoSmith sent Starks at least 7 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these

1 text messages without instituting procedures that meet the minimum standards required for
2 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Starks seeks an
3 amount not less than \$10,500 for at least 7 knowing and willful violations of 47 U.S.C. §
4 227(b), and an amount not less than \$10,500 for at least 7 knowing and willful violations of 47
5 U.S.C. § 227(c). Alternatively, Starks seeks an amount not less than \$3,500 for at least 7
6 negligent violations of 47 U.S.C. § 227(b), and not less than \$3,500 for at least 7 negligent
7 violations of 47 U.S.C. § 227(c).

8 894. Nathan Steele personally owns and uses the cellular phone number xxx-xxx-2811.
9 This number is a residential telephone subscription and is Steele's only phone number. It is his
10 personal cell phone, which he uses for all personal calls, and which he gives to family and
11 friends. He carries it with him and charges it in his room every night. It is on a personal/family
12 plan with his cellphone service provider. On 3/6/2018, Steele registered this number on the
13 National Do Not Call Registry. In the four years preceding 1/30/2020 (the date Steele's original
14 Complaint was filed), GoSmith sent Steele at least 9 telemarketing text messages at this
15 number. GoSmith knowingly and willfully sent these text messages using an automatic
16 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
17 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
18 procedures that meet the minimum standards required for telemarketing in violation of 47
19 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
20 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Steele
21 within a 12-month period after Steele was registered on the National Do Not Call Registry,
22 including but not limited to the period between 3/6/2018 and 3/6/2019. Steele seeks an amount
23 not less than \$13,500 for at least 9 knowing and willful violations of 47 U.S.C. § 227(b), and
24 an amount not less than \$13,500 for at least 9 knowing and willful violations of 47 U.S.C. §
25 227(c). Alternatively, Steele seeks an amount not less than \$4,500 for at least 9 negligent
26 violations of 47 U.S.C. § 227(b), and not less than \$4,500 for at least 9 negligent violations of
27 47 U.S.C. § 227(c).

895. Peter Steffen personally owns and uses the cellular phone number xxx-xxx-0781. This number is a residential telephone subscription and is Steffen's only phone number. It is his personal cell phone, which he uses for all personal calls, and which he gives to family and friends. He carries it with him and charges it in his room every night. It is on a personal/family plan with his cellphone service provider. In the four years preceding 1/30/2020 (the date Steffen's original Complaint was filed), GoSmith sent Steffen at least 34 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Steffen seeks an amount not less than \$51,000 for at least 34 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$51,000 for at least 34 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Steffen seeks an amount not less than \$17,000 for at least 34 negligent violations of 47 U.S.C. § 227(b), and not less than \$17,000 for at least 34 negligent violations of 47 U.S.C. § 227(c).

896. Dan Stephenson personally owns and uses the cellular phone number xxx-xxx-5102. This number is a residential telephone subscription. In the four years preceding 4/28/2020 (the date Stephenson's original Complaint was filed), GoSmith sent Stephenson at least 87 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Stephenson seeks an amount not less than \$130,500 for at least 87 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$130,500 for at least 87 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Stephenson seeks an amount not less than \$43,500 for at

1 least 87 negligent violations of 47 U.S.C. § 227(b), and not less than \$43,500 for at least 87
2 negligent violations of 47 U.S.C. § 227(c).

3 897. John Sterling personally owns and uses the cellular phone number xxx-xxx-7247.
4 This number is a residential telephone subscription and is Sterling's only phone number. It is
5 his personal cell phone, which he uses for all personal calls, and which he gives to family and
6 friends. He carries it with him and charges it in his room every night. It is on a personal/family
7 plan with his cellphone service provider. On 3/5/2009, Sterling registered this number on the
8 National Do Not Call Registry. In the four years preceding 4/22/2020 (the date Sterling's
9 original Complaint was filed), GoSmith sent Sterling at least 29 telemarketing text messages at
10 this number. GoSmith knowingly and willfully sent these text messages using an automatic
11 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
12 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
13 procedures that meet the minimum standards required for telemarketing in violation of 47
14 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
15 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Sterling
16 within a 12-month period after Sterling was registered on the National Do Not Call Registry,
17 including but not limited to the period between 4/22/2016 and 4/22/2017. Sterling seeks an
18 amount not less than \$43,500 for at least 29 knowing and willful violations of 47 U.S.C. §
19 227(b), and an amount not less than \$43,500 for at least 29 knowing and willful violations of
20 47 U.S.C. § 227(c). Alternatively, Sterling seeks an amount not less than \$14,500 for at least
21 29 negligent violations of 47 U.S.C. § 227(b), and not less than \$14,500 for at least 29
22 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Sterling at least 29
23 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an
24 undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which
25 Sterling seeks an amount not less than \$14,500, attorney's fees, injunctive relief, and treble
26 damages.

1 898. Yaakov Stern personally owns and uses the cellular phone number xxx-xxx-0013.
2 This number is a residential telephone subscription and is Stern's only phone number. It is his
3 personal cell phone, which he uses for all personal calls, and which he gives to family and
4 friends. He carries it with him and charges it in his room every night. It is on a personal/family
5 plan with his cellphone service provider. In the four years preceding 1/30/2020 (the date
6 Stern's original Complaint was filed), GoSmith sent Stern at least 10 telemarketing text
7 messages at this number. GoSmith knowingly and willfully sent these text messages using an
8 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
9 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
10 procedures that meet the minimum standards required for telemarketing in violation of 47
11 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Stern seeks an amount not less than \$15,000 for at
12 least 10 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
13 \$15,000 for at least 10 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
14 Stern seeks an amount not less than \$5,000 for at least 10 negligent violations of 47 U.S.C. §
15 227(b), and not less than \$5,000 for at least 10 negligent violations of 47 U.S.C. § 227(c).

16 899. Justin Stewart personally owns and uses the cellular phone number xxx-xxx-6912.
17 This number is a residential telephone subscription. In the four years preceding 4/27/2020 (the
18 date Stewart's original Complaint was filed), GoSmith sent Stewart at least 2 telemarketing text
19 messages at this number. GoSmith knowingly and willfully sent these text messages using an
20 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
21 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
22 procedures that meet the minimum standards required for telemarketing in violation of 47
23 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Stewart seeks an amount not less than \$3,000 for
24 at least 2 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
25 \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
26 Stewart seeks an amount not less than \$1,000 for at least 2 negligent violations of 47 U.S.C. §
27 227(b), and not less than \$1,000 for at least 2 negligent violations of 47 U.S.C. § 227(c).

1 Finally, GoSmith sent Stewart at least 2 commercial text messages in violation of RCW §§
2 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in
3 violation of RCW § 80.36.390, for which Stewart seeks an amount not less than \$1,000,
4 attorney's fees, injunctive relief, and treble damages.

5 900. Christopher Stipanich personally owns and uses the cellular phone number xxx-
6 xxx-8607. This number is a residential telephone subscription. In the four years preceding
7 1/30/2020 (the date Stipanich's original Complaint was filed), GoSmith sent Stipanich at least
8 2,549 telemarketing text messages at this number. GoSmith knowingly and willfully sent these
9 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
10 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
11 text messages without instituting procedures that meet the minimum standards required for
12 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Stipanich seeks
13 an amount not less than \$3,823,500 for at least 2,549 knowing and willful violations of 47
14 U.S.C. § 227(b), and an amount not less than \$3,823,500 for at least 2,549 knowing and willful
15 violations of 47 U.S.C. § 227(c). Alternatively, Stipanich seeks an amount not less than
16 \$1,274,500 for at least 2,549 negligent violations of 47 U.S.C. § 227(b), and not less than
17 \$1,274,500 for at least 2,549 negligent violations of 47 U.S.C. § 227(c).

18 901. Lonnie Stockton personally owns and uses the cellular phone number xxx-xxx-
19 2014. This number is a residential telephone subscription. In the four years preceding
20 4/22/2020 (the date Stockton's original Complaint was filed), GoSmith sent Stockton at least
21 50 telemarketing text messages at this number. GoSmith knowingly and willfully sent these
22 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
23 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
24 text messages without instituting procedures that meet the minimum standards required for
25 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Stockton seeks an
26 amount not less than \$75,000 for at least 50 knowing and willful violations of 47 U.S.C. §
27 227(b), and an amount not less than \$75,000 for at least 50 knowing and willful violations of

1 47 U.S.C. § 227(c). Alternatively, Stockton seeks an amount not less than \$25,000 for at least
2 50 negligent violations of 47 U.S.C. § 227(b), and not less than \$25,000 for at least 50
3 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Stockton at least 50
4 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an
5 undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which
6 Stockton seeks an amount not less than \$25,000, attorney's fees, injunctive relief, and treble
7 damages.

8 902. Mike Strodtman personally owns and uses the cellular phone number xxx-xxx-
9 4229. This number is a residential telephone subscription and is Strodtman's only phone
10 number. It is his personal cell phone, which he uses for all personal calls, and which he gives to
11 family and friends. He carries it with him and charges it in his room every night. It is on a
12 personal/family plan with his cellphone service provider. On 8/14/2005, Strodtman registered
13 this number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the
14 date Strodtman's original Complaint was filed), GoSmith sent Strodtman at least 9
15 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
16 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
17 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
18 text messages without instituting procedures that meet the minimum standards required for
19 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
20 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
21 least 2 text messages to Strodtman within a 12-month period after Strodtman was registered on
22 the National Do Not Call Registry, including but not limited to the period between 5/25/2017
23 and 7/24/2017. Strodtman seeks an amount not less than \$13,500 for at least 9 knowing and
24 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$13,500 for at least 9
25 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Strodtman seeks an
26 amount not less than \$4,500 for at least 9 negligent violations of 47 U.S.C. § 227(b), and not
27 less than \$4,500 for at least 9 negligent violations of 47 U.S.C. § 227(c).

1 903. Robb Strommen personally owns and uses the cellular phone number xxx-xxx-
2 9009. This number is a residential telephone subscription and is Strommen's only phone
3 number. It is his personal cell phone, which he uses for all personal calls, and which he gives to
4 family and friends. He carries it with him and charges it in his room every night. It is on a
5 personal/family plan with his cellphone service provider. In the four years preceding 4/22/2020
6 (the date Strommen's original Complaint was filed), GoSmith sent Strommen at least 2
7 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
8 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
9 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
10 text messages without instituting procedures that meet the minimum standards required for
11 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Strommen seeks
12 an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. §
13 227(b), and an amount not less than \$3,000 for at least 2 knowing and willful violations of 47
14 U.S.C. § 227(c). Alternatively, Strommen seeks an amount not less than \$1,000 for at least 2
15 negligent violations of 47 U.S.C. § 227(b), and not less than \$1,000 for at least 2 negligent
16 violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Strommen at least 2 commercial text
17 messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined
18 number of telephone solicitations in violation of RCW § 80.36.390, for which Strommen seeks
19 an amount not less than \$1,000, attorney's fees, injunctive relief, and treble damages.

20 904. Dan Stubbs personally owns and uses the cellular phone number xxx-xxx-0232.
21 This number is a residential telephone subscription and is Stubbs's only phone number. It is his
22 personal cell phone, which he uses for all personal calls, and which he gives to family and
23 friends. He carries it with him and charges it in his room every night. It is on a personal/family
24 plan with his cellphone service provider. On 7/1/2007, Stubbs registered this number on the
25 National Do Not Call Registry. In the four years preceding 1/30/2020 (the date Stubbs's
26 original Complaint was filed), GoSmith sent Stubbs at least 31 telemarketing text messages at
27 this number. GoSmith knowingly and willfully sent these text messages using an automatic

1 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
2 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
3 procedures that meet the minimum standards required for telemarketing in violation of 47
4 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
5 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Stubbs
6 within a 12-month period after Stubbs was registered on the National Do Not Call Registry,
7 including but not limited to the period between 5/29/2017 and 9/14/2017. Stubbs seeks an
8 amount not less than \$46,500 for at least 31 knowing and willful violations of 47 U.S.C. §
9 227(b), and an amount not less than \$46,500 for at least 31 knowing and willful violations of
10 47 U.S.C. § 227(c). Alternatively, Stubbs seeks an amount not less than \$15,500 for at least 31
11 negligent violations of 47 U.S.C. § 227(b), and not less than \$15,500 for at least 31 negligent
12 violations of 47 U.S.C. § 227(c).

13 905. Thomas Stumborg personally owns and uses the cellular phone number xxx-xxx-
14 5601. This number is a residential telephone subscription. On 9/9/2005, Stumborg registered
15 this number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the
16 date Stumborg's original Complaint was filed), GoSmith sent Stumborg at least 9 telemarketing
17 text messages at this number. GoSmith knowingly and willfully sent these text messages using
18 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
19 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
20 instituting procedures that meet the minimum standards required for telemarketing in violation
21 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and
22 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to
23 Stumborg within a 12-month period after Stumborg was registered on the National Do Not Call
24 Registry, including but not limited to the period between 5/25/2017 and 5/25/2018. Stumborg
25 seeks an amount not less than \$13,500 for at least 9 knowing and willful violations of 47
26 U.S.C. § 227(b), and an amount not less than \$13,500 for at least 9 knowing and willful
27 violations of 47 U.S.C. § 227(c). Alternatively, Stumborg seeks an amount not less than \$4,500

1 for at least 9 negligent violations of 47 U.S.C. § 227(b), and not less than \$4,500 for at least 9
2 negligent violations of 47 U.S.C. § 227(c).

3 906. Raymond Sullivan personally owns and uses the cellular phone number xxx-xxx-
4 3150. This number is a residential telephone subscription. On 10/10/2003, Sullivan registered
5 this number on the National Do Not Call Registry. In the four years preceding 4/21/2020 (the
6 date Sullivan's original Complaint was filed), GoSmith sent Sullivan at least 152 telemarketing
7 text messages at this number. GoSmith knowingly and willfully sent these text messages using
8 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
9 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
10 instituting procedures that meet the minimum standards required for telemarketing in violation
11 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and
12 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to
13 Sullivan within a 12-month period after Sullivan was registered on the National Do Not Call
14 Registry, including but not limited to the period between 4/21/2016 and 4/21/2017. Sullivan
15 seeks an amount not less than \$228,000 for at least 152 knowing and willful violations of 47
16 U.S.C. § 227(b), and an amount not less than \$228,000 for at least 152 knowing and willful
17 violations of 47 U.S.C. § 227(c). Alternatively, Sullivan seeks an amount not less than \$76,000
18 for at least 152 negligent violations of 47 U.S.C. § 227(b), and not less than \$76,000 for at least
19 152 negligent violations of 47 U.S.C. § 227(c).

20 907. Brian Sullivan personally owns and uses the cellular phone number xxx-xxx-
21 3053. This number is a residential telephone subscription. On 10/3/2009, Sullivan registered
22 this number on the National Do Not Call Registry. In the four years preceding 4/22/2020 (the
23 date Sullivan's original Complaint was filed), GoSmith sent Sullivan at least 5 telemarketing
24 text messages at this number. GoSmith knowingly and willfully sent these text messages using
25 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
26 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
27 instituting procedures that meet the minimum standards required for telemarketing in violation

of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Sullivan within a 12-month period after Sullivan was registered on the National Do Not Call Registry, including but not limited to the period between 7/10/2017 and 7/10/2018. Sullivan seeks an amount not less than \$7,500 for at least 5 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$7,500 for at least 5 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Sullivan seeks an amount not less than \$2,500 for at least 5 negligent violations of 47 U.S.C. § 227(b), and not less than \$2,500 for at least 5 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Sullivan at least 5 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which Sullivan seeks an amount not less than \$2,500, attorney's fees, injunctive relief, and treble damages.

908. Dan Sundstrom personally owns and uses the cellular phone number xxx-xxx-2300. This number is a residential telephone subscription. In the four years preceding 4/22/2020 (the date Sundstrom's original Complaint was filed), GoSmith sent Sundstrom at least 21 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Sundstrom seeks an amount not less than \$31,500 for at least 21 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$31,500 for at least 21 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Sundstrom seeks an amount not less than \$10,500 for at least 21 negligent violations of 47 U.S.C. § 227(b), and not less than \$10,500 for at least 21 negligent violations of 47 U.S.C. § 227(c).

909. Chris Sutton personally owns and uses the cellular phone number xxx-xxx-0770. This number is a residential telephone subscription. On 5/19/2009, Sutton registered this

1 number on the National Do Not Call Registry. In the four years preceding 4/28/2020 (the date
2 Sutton's original Complaint was filed), GoSmith sent Sutton at least 9 telemarketing text
3 messages and calls at this number. Sutton received approximately four texts per week from
4 GoSmith over the course of several weeks. He requested, then demanded, that they stop
5 sending him texts almost every time. Finally, he threatened to turn them in to the proper
6 authorities and call a lawyer. After two or three more calls where he repeated his threat,
7 GoSmith's texts and calls finally stopped. GoSmith knowingly and willfully sent these text
8 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
9 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
10 text messages without instituting procedures that meet the minimum standards required for
11 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
12 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
13 least 2 text messages to Sutton within a 12-month period after Sutton was registered on the
14 National Do Not Call Registry, including but not limited to the period between 2/17/2017 and
15 2/17/2018. Sutton seeks an amount not less than \$13,500 for at least 9 knowing and willful
16 violations of 47 U.S.C. § 227(b), and an amount not less than \$13,500 for at least 9 knowing
17 and willful violations of 47 U.S.C. § 227(c). Alternatively, Sutton seeks an amount not less
18 than \$4,500 for at least 9 negligent violations of 47 U.S.C. § 227(b), and not less than \$4,500
19 for at least 9 negligent violations of 47 U.S.C. § 227(c).

20 910. John Suver personally owns and uses the cellular phone number xxx-xxx-1129.
21 This number is a residential telephone subscription and is Suver's only phone number. It is his
22 personal cell phone, which he uses for all personal calls, and which he gives to family and
23 friends. He carries it with him and charges it in his room every night. It is on a personal/family
24 plan with his cellphone service provider. In the four years preceding 4/22/2020 (the date
25 Suver's original Complaint was filed), GoSmith sent Suver at least 6 telemarketing text
26 messages at this number. GoSmith knowingly and willfully sent these text messages using an
27 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.

§ 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Suver seeks an amount not less than \$9,000 for at least 6 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$9,000 for at least 6 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Suver seeks an amount not less than \$3,000 for at least 6 negligent violations of 47 U.S.C. § 227(b), and not less than \$3,000 for at least 6 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Suver at least 6 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which Suver seeks an amount not less than \$3,000, attorney's fees, injunctive relief, and treble damages.

911. Curtis Sveen personally owns and uses the cellular phone number xxx-xxx-9324. This number is a residential telephone subscription and is Sveen's only phone number. It is his personal cell phone, which he uses for all personal calls, and which he gives to family and friends. He carries it with him and charges it in his room every night. It is on a personal/family plan with his cellphone service provider. On 11/10/2017, Sveen registered this number on the National Do Not Call Registry. In the four years preceding 4/22/2020 (the date Sveen's original Complaint was filed), GoSmith sent Sveen at least 21 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Sveen within a 12-month period after Sveen was registered on the National Do Not Call Registry, including but not limited to the period between 11/10/2017 and 11/10/2018. Sveen seeks an amount not less than \$31,500 for at least 21 knowing and willful violations of 47 U.S.C. §

227(b), and an amount not less than \$31,500 for at least 21 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Sveen seeks an amount not less than \$10,500 for at least 21 negligent violations of 47 U.S.C. § 227(b), and not less than \$10,500 for at least 21 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Sveen at least 21 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which Sveen seeks an amount not less than \$10,500, attorney's fees, injunctive relief, and treble damages.

912. Shelley Sykes personally owns and uses the cellular phone number xxx-xxx-3068. This number is a residential telephone subscription. On 8/22/2003, Sykes registered this number on the National Do Not Call Registry. In the four years preceding 4/22/2020 (the date Sykes's original Complaint was filed), GoSmith sent Sykes at least 58 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Sykes within a 12-month period after Sykes was registered on the National Do Not Call Registry, including but not limited to the period between 10/1/2016 and 7/18/2017. Sykes seeks an amount not less than \$87,000 for at least 58 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$87,000 for at least 58 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Sykes seeks an amount not less than \$29,000 for at least 58 negligent violations of 47 U.S.C. § 227(b), and not less than \$29,000 for at least 58 negligent violations of 47 U.S.C. § 227(c).

913. Rodney Syms personally owns and uses the cellular phone number xxx-xxx-1892. This number is a residential telephone subscription. On 7/26/2006, Syms registered this number on the National Do Not Call Registry. In the four years preceding 4/27/2020 (the date

1 Syms's original Complaint was filed), GoSmith sent Syms at least 26 telemarketing text
 2 messages at this number. GoSmith knowingly and willfully sent these text messages using an
 3 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
 4 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
 5 procedures that meet the minimum standards required for telemarketing in violation of 47
 6 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
 7 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Syms
 8 within a 12-month period after Syms was registered on the National Do Not Call Registry,
 9 including but not limited to the period between 4/27/2016 and 4/27/2017. Syms seeks an
 10 amount not less than \$39,000 for at least 26 knowing and willful violations of 47 U.S.C. §
 11 227(b), and an amount not less than \$39,000 for at least 26 knowing and willful violations of
 12 47 U.S.C. § 227(c). Alternatively, Syms seeks an amount not less than \$13,000 for at least 26
 13 negligent violations of 47 U.S.C. § 227(b), and not less than \$13,000 for at least 26 negligent
 14 violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Syms at least 26 commercial text
 15 messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined
 16 number of telephone solicitations in violation of RCW § 80.36.390, for which Syms seeks an
 17 amount not less than \$13,000, attorney's fees, injunctive relief, and treble damages.

18 914. Igor Sysun personally owns and uses the cellular phone number xxx-xxx-8122.
 19 This number is a residential telephone subscription. In the four years preceding 4/22/2020 (the
 20 date Sysun's original Complaint was filed), GoSmith sent Sysun at least 15 telemarketing text
 21 messages at this number. GoSmith knowingly and willfully sent these text messages using an
 22 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
 23 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
 24 procedures that meet the minimum standards required for telemarketing in violation of 47
 25 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Sysun seeks an amount not less than \$22,500 for
 26 at least 15 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
 27 \$22,500 for at least 15 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,

1 Sysun seeks an amount not less than \$7,500 for at least 15 negligent violations of 47 U.S.C. §
2 227(b), and not less than \$7,500 for at least 15 negligent violations of 47 U.S.C. § 227(c).
3 Finally, GoSmith sent Sysun at least 15 commercial text messages in violation of RCW §§
4 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in
5 violation of RCW § 80.36.390, for which Sysun seeks an amount not less than \$7,500,
6 attorney's fees, injunctive relief, and treble damages.

7 915. John Zachary (Zack) Talmage personally owns and uses the cellular phone
8 number xxx-xxx-4286. This number is a residential telephone subscription and is Talmage's
9 only phone number. It is his personal cell phone, which he uses for all personal calls, and
10 which he gives to family and friends. He carries it with him and charges it in his room every
11 night. It is on a personal/family plan with his cellphone service provider. In the four years
12 preceding 1/30/2020 (the date Talmage's original Complaint was filed), GoSmith sent Talmage
13 at least 80 telemarketing text messages at this number. GoSmith knowingly and willfully sent
14 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
15 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
16 text messages without instituting procedures that meet the minimum standards required for
17 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Talmage seeks an
18 amount not less than \$120,000 for at least 80 knowing and willful violations of 47 U.S.C. §
19 227(b), and an amount not less than \$120,000 for at least 80 knowing and willful violations of
20 47 U.S.C. § 227(c). Alternatively, Talmage seeks an amount not less than \$40,000 for at least
21 80 negligent violations of 47 U.S.C. § 227(b), and not less than \$40,000 for at least 80
22 negligent violations of 47 U.S.C. § 227(c).

23 916. Ann Taylor personally owns and uses the cellular phone number xxx-xxx-4733.
24 This number is a residential telephone subscription and is Taylor's only phone number. It is her
25 personal cell phone, which she uses for all personal calls, and which she gives to family and
26 friends. She carries it with her and charges it in her room every night. It is on a personal/family
27 plan with her cellphone service provider. She also uses it in her freelance work as a stained

1 lead glass artist. On 12/15/2004, Taylor registered this number on the National Do Not Call
2 Registry. In the four years preceding 4/21/2020 (the date Taylor's original Complaint was
3 filed), GoSmith sent Taylor's personal cell phone at least 7 telemarketing text messages and
4 calls, offering her unrelated and irrelevant construction and contractor "leads" for purchase.
5 GoSmith knowingly and willfully sent these text messages and calls using an automatic
6 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
7 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages and calls without
8 instituting procedures that meet the minimum standards required for telemarketing in violation
9 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and
10 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages and
11 calls to Taylor within a 12-month period after Taylor was registered on the National Do Not
12 Call Registry, including but not limited to the period between 10/2/2016 and 8/12/2017. Taylor
13 seeks an amount not less than \$10,500 for at least 7 knowing and willful violations of 47
14 U.S.C. § 227(b), and an amount not less than \$10,500 for at least 7 knowing and willful
15 violations of 47 U.S.C. § 227(c). Alternatively, Taylor seeks an amount not less than \$3,500
16 for at least 7 negligent violations of 47 U.S.C. § 227(b), and not less than \$3,500 for at least 7
17 negligent violations of 47 U.S.C. § 227(c).

18 917. Lori Taylor personally owns and uses the cellular phone number xxx-xxx-5672.
19 This number is a residential telephone subscription and is Taylor's only phone number. It is her
20 personal cell phone, which she uses for all personal calls, and which she gives to family and
21 friends. She carries it with her and charges it in her room every night. It is on a personal/family
22 plan with her cellphone service provider. In the four years preceding 1/30/2020 (the date
23 Taylor's original Complaint was filed), GoSmith sent Taylor at least 42 telemarketing text
24 messages at this number. GoSmith knowingly and willfully sent these text messages using an
25 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
26 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
27 procedures that meet the minimum standards required for telemarketing in violation of 47

1 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Taylor seeks an amount not less than \$63,000 for
2 at least 42 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
3 \$63,000 for at least 42 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
4 Taylor seeks an amount not less than \$21,000 for at least 42 negligent violations of 47 U.S.C. §
5 227(b), and not less than \$21,000 for at least 42 negligent violations of 47 U.S.C. § 227(c).

6 918. Norman Taylor personally owns and uses the cellular phone number xxx-xxx-
7 9434. This number is a residential telephone subscription and is Taylor's only phone number. It
8 is his personal cell phone, which he uses for all personal calls, and which he gives to family
9 and friends. He carries it with him and charges it in his room on his nightstand every night. It is
10 on a personal/family plan with his cellphone service provider. In the four years preceding
11 4/22/2020 (the date Taylor's original Complaint was filed), GoSmith sent Taylor at least 3,346
12 telemarketing text messages and phone calls at this number. When the calls and texts first
13 started, Taylor was getting multiple messages and calls each day from GoSmith on his personal
14 cell phone. He finally blocked each number as it came up on his phone. A few times, desperate
15 for the calls and messages to stop, Taylor selected the "get more information" option, trying to
16 reach someone who would take him off GoSmith's list, but the texts and messages only
17 increased in frequency. Most of the "leads" were for geographical areas some 200+ miles
18 away. GoSmith knowingly and willfully sent these text messages and calls using an automatic
19 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
20 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages and calls without
21 instituting procedures that meet the minimum standards required for telemarketing in violation
22 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Taylor seeks an amount not less than
23 \$5,019,000 for at least 3,346 knowing and willful violations of 47 U.S.C. § 227(b), and an
24 amount not less than \$5,019,000 for at least 3,346 knowing and willful violations of 47 U.S.C.
25 § 227(c). Alternatively, Taylor seeks an amount not less than \$1,673,000 for at least 3,346
26 negligent violations of 47 U.S.C. § 227(b), and not less than \$1,673,000 for at least 3,346
27 negligent violations of 47 U.S.C. § 227(c).

919. Grant Taylor personally owns and uses the cellular phone number xxx-xxx-5222. This number is a residential telephone subscription and is Taylor's only phone number. It is his personal cell phone, which he uses for all personal calls, and which he gives to family and friends. He carries it with him and charges it in his room on his nightstand every night. It is on a personal/family plan with his cellphone service provider. On 3/23/2010, Taylor registered this number on the National Do Not Call Registry. In the four years preceding 4/22/2020 (the date Taylor's original Complaint was filed), Defendants sent Taylor at least 560 telemarketing text messages and calls at this number. The calls, texts, and emails were extremely disruptive. For several months, Taylor received multiple texts a day or week. When Porch acquired GoSmith, the harassment continued, but through Porch's platform. Even as recently as 11/6/2020, Taylor was receiving unsolicited calls and an email from Porch.com at his personal cell phone number, in spite of this lawsuit he filed. Defendants knowingly and willfully sent text messages and calls to Taylor using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). Defendants knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), Defendants knowingly and willfully sent at least 2 text messages or calls to Taylor within a 12-month period after Taylor was registered on the National Do Not Call Registry, including but not limited to the period between 4/22/2016 and 4/22/2017 and the period between 11/6/2019 and 11/6/2020. Taylor seeks an amount not less than \$840,000 for at least 560 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$840,000 for at least 560 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Taylor seeks an amount not less than \$280,000 for at least 560 negligent violations of 47 U.S.C. § 227(b), and not less than \$280,000 for at least 560 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Taylor at least 560 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of

1 RCW § 80.36.390, for which Taylor seeks an amount not less than \$280,000, attorney's fees,
2 injunctive relief, and treble damages.

3 920. Chris Taylor personally owns and uses the cellular phone number xxx-xxx-6712.
4 This number is a residential telephone subscription and is Taylor's only phone number. It is his
5 personal cell phone, which he uses for all personal calls, and which he gives to family and
6 friends. He carries it with him and charges it in his room on his nightstand every night. It is on
7 a personal/family plan with his cellphone service provider. In the four years preceding
8 4/22/2020 (the date Taylor's original Complaint was filed), GoSmith sent Taylor at least 60
9 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
10 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
11 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
12 text messages without instituting procedures that meet the minimum standards required for
13 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Taylor seeks an
14 amount not less than \$90,000 for at least 60 knowing and willful violations of 47 U.S.C. §
15 227(b), and an amount not less than \$90,000 for at least 60 knowing and willful violations of
16 47 U.S.C. § 227(c). Alternatively, Taylor seeks an amount not less than \$30,000 for at least 60
17 negligent violations of 47 U.S.C. § 227(b), and not less than \$30,000 for at least 60 negligent
18 violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Taylor at least 60 commercial text
19 messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined
20 number of telephone solicitations in violation of RCW § 80.36.390, for which Taylor seeks an
21 amount not less than \$30,000, attorney's fees, injunctive relief, and treble damages.

22 921. Ryan Teini personally owns and uses the cellular phone number xxx-xxx-3775.
23 This number is a residential telephone subscription. In the four years preceding 4/24/2020 (the
24 date Teini's original Complaint was filed), GoSmith sent Teini at least 29 telemarketing text
25 messages at this number. GoSmith knowingly and willfully sent these text messages using an
26 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
27 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting

1 procedures that meet the minimum standards required for telemarketing in violation of 47
2 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Teini seeks an amount not less than \$43,500 for at
3 least 29 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
4 \$43,500 for at least 29 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
5 Teini seeks an amount not less than \$14,500 for at least 29 negligent violations of 47 U.S.C. §
6 227(b), and not less than \$14,500 for at least 29 negligent violations of 47 U.S.C. § 227(c).

7 922. Joshua Tenney personally owns and uses the cellular phone number xxx-xxx-
8 8347. This number is a residential telephone subscription and is Tenney's only phone number.
9 It is his personal cell phone, which he uses for all personal calls, and which he gives to family
10 and friends. He carries it with him and charges it in his room on his nightstand every night. It is
11 on a family plan under his wife's name with their cellphone service provider. They do not have
12 a landline in their residence. In the four years preceding 1/30/2020 (the date Tenney's original
13 Complaint was filed), GoSmith sent Tenney at least 504 telemarketing text messages and calls
14 at this number, sometimes 3-4 times a day. GoSmith knowingly and willfully sent these text
15 messages and calls using an automatic telephone dialing system in violation of 47 U.S.C. §
16 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
17 text messages and calls without instituting procedures that meet the minimum standards
18 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d).
19 Tenney seeks an amount not less than \$756,000 for at least 504 knowing and willful violations
20 of 47 U.S.C. § 227(b), and an amount not less than \$756,000 for at least 504 knowing and
21 willful violations of 47 U.S.C. § 227(c). Alternatively, Tenney seeks an amount not less than
22 \$252,000 for at least 504 negligent violations of 47 U.S.C. § 227(b), and not less than
23 \$252,000 for at least 504 negligent violations of 47 U.S.C. § 227(c).

24 923. Aleksandar Tesanovic personally owns and uses the cellular phone number xxx-
25 xxx-0174. This number is a residential telephone subscription, and this is Tesanovic's personal
26 cell phone number, which he uses for all his personal calls, having a separate, dedicated
27 business line for each of his previous home-based businesses. On 8/17/2011, Tesanovic

1 registered this number on the National Do Not Call Registry. In the four years preceding
2 4/21/2020 (the date Tesanovic's original Complaint was filed), GoSmith sent Tesanovic well
3 over 100 telemarketing text messages and calls at this number. He saved many of the
4 messages, which have dates ranging from to April 11, 2017 to January 6, 2018, when GoSmith
5 sent him 3 messages in a single day. Tesanovic states that it "felt like I belonged to a special
6 circle of hell." GoSmith also texted and called his business number, ending in -6633, so
7 Tesanovic also has an unknown number of ATDS claims for the business line under 47 U.S.C.
8 § 227(b). GoSmith knowingly and willfully sent these text messages and calls using an
9 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
10 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages and calls without
11 instituting procedures that meet the minimum standards required for telemarketing in violation
12 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and
13 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages and/or
14 calls to Tesanovic within a 12-month period after Tesanovic was registered on the National Do
15 Not Call Registry, including but not limited to the period between 4/21/2016 and 4/21/2017.
16 Tesanovic seeks an amount not less than \$150,000 for at least 100 knowing and willful
17 violations of 47 U.S.C. § 227(b), and an amount not less than \$150,000 for at least 100
18 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Tesanovic seeks an
19 amount not less than \$50,000 for at least 100 negligent violations of 47 U.S.C. § 227(b), and
20 not less than \$50,000 for at least 100 negligent violations of 47 U.S.C. § 227(c).

21 924. Todd Thaw personally owns and uses the cellular phone number xxx-xxx-7452.
22 This number is a residential telephone subscription and this is Thaw's personal cell phone
23 number, which he uses for all his personal calls, having a separate, dedicated business line for
24 his home-based businesses. On 1/18/2015, Thaw registered this number on the National Do
25 Not Call Registry. In the four years preceding 4/27/2020 (the date Thaw's original Complaint
26 was filed), GoSmith sent Thaw at least 33 telemarketing text messages at this number.

27 GoSmith knowingly and willfully sent these text messages using an automatic telephone

1 dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7).
2 GoSmith knowingly and willfully sent these text messages without instituting procedures that
3 meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and
4 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c),
5 GoSmith knowingly and willfully sent at least 2 text messages to Thaw within a 12-month
6 period after Thaw was registered on the National Do Not Call Registry, including but not
7 limited to the period between 6/24/2016 and 6/24/2017. Thaw seeks an amount not less than
8 \$49,500 for at least 33 knowing and willful violations of 47 U.S.C. § 227(b), and an amount
9 not less than \$49,500 for at least 33 knowing and willful violations of 47 U.S.C. § 227(c).
10 Alternatively, Thaw seeks an amount not less than \$16,500 for at least 33 negligent violations
11 of 47 U.S.C. § 227(b), and not less than \$16,500 for at least 33 negligent violations of 47
12 U.S.C. § 227(c).

13 925. Bill Thompson personally owns and uses the cellular phone number xxx-xxx-
14 1248. This number is a residential telephone subscription. On 11/16/2007, Thompson
15 registered this number on the National Do Not Call Registry. In the four years preceding
16 4/21/2020 (the date Thompson's original Complaint was filed), GoSmith sent Thompson at
17 least 4 telemarketing text messages at this number. GoSmith knowingly and willfully sent
18 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
19 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
20 text messages without instituting procedures that meet the minimum standards required for
21 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
22 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
23 least 2 text messages to Thompson within a 12-month period after Thompson was registered on
24 the National Do Not Call Registry, including but not limited to the period between 8/28/2017
25 and 8/28/2018. Thompson seeks an amount not less than \$6,000 for at least 4 knowing and
26 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$6,000 for at least 4
27 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Thompson seeks an

1 amount not less than \$2,000 for at least 4 negligent violations of 47 U.S.C. § 227(b), and not
2 less than \$2,000 for at least 4 negligent violations of 47 U.S.C. § 227(c).

3 926. Brandon Thompson personally owns and uses the cellular phone number xxx-
4 xxx-8211. This number is a residential telephone subscription. In the four years preceding
5 4/28/2020 (the date Thompson's original Complaint was filed), GoSmith sent Thompson at
6 least 38 telemarketing text messages at this number. GoSmith knowingly and willfully sent
7 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
8 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
9 text messages without instituting procedures that meet the minimum standards required for
10 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Thompson seeks
11 an amount not less than \$57,000 for at least 38 knowing and willful violations of 47 U.S.C. §
12 227(b), and an amount not less than \$57,000 for at least 38 knowing and willful violations of
13 47 U.S.C. § 227(c). Alternatively, Thompson seeks an amount not less than \$19,000 for at least
14 38 negligent violations of 47 U.S.C. § 227(b), and not less than \$19,000 for at least 38
15 negligent violations of 47 U.S.C. § 227(c).

16 927. Jack Thompson personally owns and uses the cellular phone number xxx-xxx-
17 8115. This number is a residential telephone subscription and is Thompson's only phone
18 number. It is his personal cell phone, which he uses for all personal calls, and which he gives to
19 family and friends. He carries it with him and charges it in his room on his nightstand every
20 night. However, he has a business plan through Verizon Wireless for his phone service. On
21 2/21/2008, Thompson registered this number on the National Do Not Call Registry. In the four
22 years preceding 4/22/2020 (the date Thompson's original Complaint was filed), GoSmith sent
23 Thompson at least 8 telemarketing text messages at this number. GoSmith knowingly and
24 willfully sent these text messages using an automatic telephone dialing system in violation of
25 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully
26 sent these text messages without instituting procedures that meet the minimum standards
27 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also

1 in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and
2 willfully sent at least 2 text messages to Thompson within a 12-month period after Thompson
3 was registered on the National Do Not Call Registry, including but not limited to the period
4 between 2/15/2017 and 2/15/2018. Thompson seeks an amount not less than \$12,000 for at
5 least 8 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
6 \$12,000 for at least 8 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
7 Thompson seeks an amount not less than \$4,000 for at least 8 negligent violations of 47 U.S.C.
8 § 227(b), and not less than \$4,000 for at least 8 negligent violations of 47 U.S.C. § 227(c).
9 Finally, GoSmith sent Thompson at least 8 commercial text messages in violation of RCW §§
10 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in
11 violation of RCW § 80.36.390, for which Thompson seeks an amount not less than \$4,000,
12 attorney's fees, injunctive relief, and treble damages.

13 928. Konan Thornblade personally owns and uses the cellular phone number xxx-xxx-
14 7626. This number is a residential telephone subscription. In the four years preceding
15 4/27/2020 (the date Thornblade's original Complaint was filed), GoSmith sent Thornblade at
16 least 9 telemarketing text messages at this number. GoSmith knowingly and willfully sent
17 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
18 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
19 text messages without instituting procedures that meet the minimum standards required for
20 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Thornblade seeks
21 an amount not less than \$13,500 for at least 9 knowing and willful violations of 47 U.S.C. §
22 227(b), and an amount not less than \$13,500 for at least 9 knowing and willful violations of 47
23 U.S.C. § 227(c). Alternatively, Thornblade seeks an amount not less than \$4,500 for at least 9
24 negligent violations of 47 U.S.C. § 227(b), and not less than \$4,500 for at least 9 negligent
25 violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Thornblade at least 9 commercial text
26 messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined
27

1 number of telephone solicitations in violation of RCW § 80.36.390, for which Thornblade
2 seeks an amount not less than \$4,500, attorney's fees, injunctive relief, and treble damages.

3 929. Michael Tietje personally owns and uses the cellular phone number xxx-xxx-
4 2380. This number is a residential telephone subscription. In the four years preceding
5 1/30/2020 (the date Tietje's original Complaint was filed), GoSmith sent Tietje at least 150
6 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
7 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
8 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
9 text messages without instituting procedures that meet the minimum standards required for
10 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Tietje seeks an
11 amount not less than \$225,000 for at least 150 knowing and willful violations of 47 U.S.C. §
12 227(b), and an amount not less than \$225,000 for at least 150 knowing and willful violations of
13 47 U.S.C. § 227(c). Alternatively, Tietje seeks an amount not less than \$75,000 for at least 150
14 negligent violations of 47 U.S.C. § 227(b), and not less than \$75,000 for at least 150 negligent
15 violations of 47 U.S.C. § 227(c).

16 930. Arturo A. Tinajero Nunez personally owns and uses the cellular phone number
17 xxx-xxx-2194. This number is a residential telephone subscription. In the four years preceding
18 4/27/2020 (the date Tinajero Nunez's original Complaint was filed), GoSmith sent Tinajero
19 Nunez at least 14 telemarketing text messages at this number. GoSmith knowingly and
20 willfully sent these text messages using an automatic telephone dialing system in violation of
21 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully
22 sent these text messages without instituting procedures that meet the minimum standards
23 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d).
24 Tinajero Nunez seeks an amount not less than \$21,000 for at least 14 knowing and willful
25 violations of 47 U.S.C. § 227(b), and an amount not less than \$21,000 for at least 14 knowing
26 and willful violations of 47 U.S.C. § 227(c). Alternatively, Tinajero Nunez seeks an amount
27 not less than \$7,000 for at least 14 negligent violations of 47 U.S.C. § 227(b), and not less than

1 \$7,000 for at least 14 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent
 2 Tinajero Nunez at least 14 commercial text messages in violation of RCW §§ 19.190.060,
 3 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of
 4 RCW § 80.36.390, for which Tinajero Nunez seeks an amount not less than \$7,000, attorney's
 5 fees, injunctive relief, and treble damages.

6 931. Jacob Tingle personally owns and uses the cellular phone number xxx-xxx-3734.
 7 This number is a residential telephone subscription and is Tingle's only phone number. It is his
 8 personal cell phone, which he uses for all personal calls, and which he gives to family and
 9 friends. He carries it with him and charges it in his room on his nightstand every night. It is on
 10 an individual/family plan with his cellphone service provider. In the four years preceding
 11 1/30/2020 (the date Tingle's original Complaint was filed), GoSmith sent Tingle at least 78
 12 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
 13 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
 14 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
 15 text messages without instituting procedures that meet the minimum standards required for
 16 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Tingle seeks an
 17 amount not less than \$117,000 for at least 78 knowing and willful violations of 47 U.S.C. §
 18 227(b), and an amount not less than \$117,000 for at least 78 knowing and willful violations of
 19 47 U.S.C. § 227(c). Alternatively, Tingle seeks an amount not less than \$39,000 for at least 78
 20 negligent violations of 47 U.S.C. § 227(b), and not less than \$39,000 for at least 78 negligent
 21 violations of 47 U.S.C. § 227(c).

22 932. Oron Tipton personally owns and uses the cellular phone number xxx-xxx-5804.
 23 This number is a residential telephone subscription. On 7/3/2009, Tipton registered this
 24 number on the National Do Not Call Registry. In the four years preceding 4/28/2020 (the date
 25 Tipton's original Complaint was filed), GoSmith sent Tipton at least 2 telemarketing text
 26 messages at this number. GoSmith knowingly and willfully sent these text messages using an
 27 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.

§ 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Tipton within a 12-month period after Tipton was registered on the National Do Not Call Registry, including but not limited to the period between 2/19/2017 and 6/28/2017. Tipton seeks an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Tipton seeks an amount not less than \$1,000 for at least 2 negligent violations of 47 U.S.C. § 227(b), and not less than \$1,000 for at least 2 negligent violations of 47 U.S.C. § 227(c).

933. John Tompkins II personally owns and uses the cellular phone number xxx-xxx-2629. This number is a residential telephone subscription. In the four years preceding 1/30/2020 (the date Tompkins II's original Complaint was filed), GoSmith sent Tompkins II at least 962 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Tompkins II seeks an amount not less than \$1,443,000 for at least 962 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$1,443,000 for at least 962 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Tompkins II seeks an amount not less than \$481,000 for at least 962 negligent violations of 47 U.S.C. § 227(b), and not less than \$481,000 for at least 962 negligent violations of 47 U.S.C. § 227(c).

934. David Torres personally owns and uses the cellular phone number xxx-xxx-4832. This number is a residential telephone subscription and is Torres's only phone number. It is his personal cell phone, which he uses for all personal calls, and which he gives to family and

1 friends. He carries it with him and charges it in his room on his nightstand every night. It is on
2 an individual/family plan with his cellphone service provider. On 06/27/2005, Torres registered
3 this number on the National Do Not Call Registry. In the four years preceding 01/30/2020 (the
4 date Torres's original Complaint was filed), GoSmith sent Torres at least 1,045 telemarketing
5 text messages at this number, at the rate of 5-7 times per week, although Torres had been on
6 the Do Not Call Registry for over 10 years before Defendants started contacting him. GoSmith
7 knowingly and willfully sent these text messages using an automatic telephone dialing system
8 in violation of 47 U.S.C. § 227(b)(1)(A)(iii). GoSmith knowingly and willfully sent these text
9 messages without instituting procedures that meet the minimum standards required for
10 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
11 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
12 least 2 text messages to Torres within a 12-month period after Torres was registered on the
13 National Do Not Call Registry, including but not limited to the period between 01/30/2016 and
14 01/29/2017. Torres seeks an amount not less than \$1,567,500 for at least 1,045 knowing and
15 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$1,567,500 for at least
16 1,045 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Torres seeks an
17 amount not less than \$522,500 for at least 1,045 negligent violations of 47 U.S.C. § 227(b),
18 and \$522,500 for at least 1,045 negligent violations of 47 U.S.C. § 227(c).

19 935. William Torrey personally owns and uses the cellular phone number xxx-xxx-
20 7434. This number is a residential telephone subscription but is used exclusively for Torrey's
21 work as a luxury interior designer. He has a separate, dedicated landline for personal use. In the
22 four years preceding 1/30/2020 (the date Torrey's original Complaint was filed), GoSmith sent
23 Torrey at least 10 telemarketing text messages at this number. GoSmith knowingly and
24 willfully sent these text messages using an automatic telephone dialing system in violation of
25 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully
26 sent these text messages without instituting procedures that meet the minimum standards
27 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d).

1 Torrey seeks an amount not less than \$15,000 for at least 10 knowing and willful violations of
 2 47 U.S.C. § 227(b). Alternatively, Torrey seeks an amount not less than \$5,000 for at least 10
 3 negligent violations of 47 U.S.C. § 227(b).

4 936. Mike Towe personally owns and uses the cellular phone number xxx-xxx-0101.
 5 This number is a residential telephone subscription. In the four years preceding 1/30/2020 (the
 6 date Towe's original Complaint was filed), GoSmith sent Towe at least 795 telemarketing text
 7 messages at this number. GoSmith knowingly and willfully sent these text messages using an
 8 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
 9 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
 10 procedures that meet the minimum standards required for telemarketing in violation of 47
 11 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Towe seeks an amount not less than \$1,192,500
 12 for at least 795 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less
 13 than \$1,192,500 for at least 795 knowing and willful violations of 47 U.S.C. § 227(c).
 14 Alternatively, Towe seeks an amount not less than \$397,500 for at least 795 negligent
 15 violations of 47 U.S.C. § 227(b), and not less than \$397,500 for at least 795 negligent
 16 violations of 47 U.S.C. § 227(c).

17 937. Esteban Trevino personally owns and uses the cellular phone number xxx-xxx-
 18 9900. This number is a residential telephone subscription and is Trevino's only phone number.
 19 It is his personal cell phone, which he uses for all personal calls, and which he gives to family
 20 and friends. He carries it with him and charges it in his room on his nightstand every night. It is
 21 on an individual/family plan with his cellphone service provider. In the four years preceding
 22 4/22/2020 (the date Trevino's original Complaint was filed), GoSmith sent Trevino at least 7
 23 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
 24 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
 25 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
 26 text messages without instituting procedures that meet the minimum standards required for
 27 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Trevino seeks an

1 amount not less than \$10,500 for at least 7 knowing and willful violations of 47 U.S.C. §
 2 227(b), and an amount not less than \$10,500 for at least 7 knowing and willful violations of 47
 3 U.S.C. § 227(c). Alternatively, Trevino seeks an amount not less than \$3,500 for at least 7
 4 negligent violations of 47 U.S.C. § 227(b), and not less than \$3,500 for at least 7 negligent
 5 violations of 47 U.S.C. § 227(c).

6 938. Yannick Truchi personally owns and uses the cellular phone number xxx-xxx-
 7 3505. This number is a residential telephone subscription and is Truchi's personal phone line. It
 8 is part of a family plan with his cellphone service provider and Truchi uses it for personal calls
 9 as well as client calls for his home-based business. On 10/18/2018, Truchi registered this
 10 number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date
 11 Truchi's original Complaint was filed), GoSmith sent Truchi at least 105 telemarketing text
 12 messages at this number. GoSmith knowingly and willfully sent these text messages using an
 13 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
 14 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
 15 procedures that meet the minimum standards required for telemarketing in violation of 47
 16 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
 17 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Truchi
 18 within a 12-month period after Truchi was registered on the National Do Not Call Registry,
 19 including but not limited to the period between 10/18/2018 and 10/18/2019. Truchi seeks an
 20 amount not less than \$157,500 for at least 105 knowing and willful violations of 47 U.S.C. §
 21 227(b), and an amount not less than \$157,500 for at least 105 knowing and willful violations of
 22 47 U.S.C. § 227(c). Alternatively, Truchi seeks an amount not less than \$52,500 for at least
 23 105 negligent violations of 47 U.S.C. § 227(b), and not less than \$52,500 for at least 105
 24 negligent violations of 47 U.S.C. § 227(c).

25 939. Joann Trussell personally owns and uses the cellular phone number xxx-xxx-
 26 6766. This number is a residential telephone subscription. In the four years preceding
 27 4/22/2020 (the date Trussell's original Complaint was filed), GoSmith sent Trussell at least 38

1 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
2 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
3 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
4 text messages without instituting procedures that meet the minimum standards required for
5 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Trussell seeks an
6 amount not less than \$57,000 for at least 38 knowing and willful violations of 47 U.S.C. §
7 227(b), and an amount not less than \$57,000 for at least 38 knowing and willful violations of
8 47 U.S.C. § 227(c). Alternatively, Trussell seeks an amount not less than \$19,000 for at least
9 38 negligent violations of 47 U.S.C. § 227(b), and not less than \$19,000 for at least 38
10 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Trussell at least 38
11 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an
12 undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which
13 Trussell seeks an amount not less than \$19,000, attorney's fees, injunctive relief, and treble
14 damages.

15 940. Travis Trusty personally owns and uses the cellular phone number xxx-xxx-9138.
16 This number is a residential telephone subscription and is Trusty's only phone number. It is his
17 personal cell phone, which he uses for all personal calls, and which he gives to family and
18 friends. He carries it with him and charges it in his room on his nightstand every night. It is on
19 an individual/family plan with his cellphone service provider. In the four years preceding
20 4/27/2020 (the date Trusty's original Complaint was filed), GoSmith sent Trusty at least 320
21 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
22 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
23 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
24 text messages without instituting procedures that meet the minimum standards required for
25 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Trusty seeks an
26 amount not less than \$480,000 for at least 320 knowing and willful violations of 47 U.S.C. §
27 227(b), and an amount not less than \$480,000 for at least 320 knowing and willful violations of

1 47 U.S.C. § 227(c). Alternatively, Trusty seeks an amount not less than \$160,000 for at least
2 320 negligent violations of 47 U.S.C. § 227(b), and not less than \$160,000 for at least 320
3 negligent violations of 47 U.S.C. § 227(c).

4 941. Ryan Tweed personally owns and uses the cellular phone number xxx-xxx-9445.
5 This number is a residential telephone subscription and is Tweed's only phone number. It is his
6 personal cell phone, which he uses for all personal calls, and which he gives to family and
7 friends. He carries it with him and charges it in his room on his nightstand every night. It is on
8 an individual/family plan with his cellphone service provider. In the four years preceding
9 4/28/2020 (the date Tweed's original Complaint was filed), GoSmith sent Tweed at least 150
10 telemarketing text messages and calls at this number. Tweed tried to unsubscribe and asked
11 GoSmith to take him off its list. After several attempts, GoSmith finally stopped contacting
12 him. GoSmith knowingly and willfully sent these text messages and calls using an automatic
13 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
14 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages and calls without
15 instituting procedures that meet the minimum standards required for telemarketing in violation
16 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Tweed seeks an amount not less than
17 \$225,000 for at least 150 knowing and willful violations of 47 U.S.C. § 227(b), and an amount
18 not less than \$225,000 for at least 150 knowing and willful violations of 47 U.S.C. § 227(c).
19 Alternatively, Tweed seeks an amount not less than \$75,000 for at least 150 negligent
20 violations of 47 U.S.C. § 227(b), and not less than \$75,000 for at least 150 negligent violations
21 of 47 U.S.C. § 227(c).

22 942. Brandon Tyler personally owns and uses the cellular phone number xxx-xxx-
23 2146. This number is a residential telephone subscription is Tyler's only phone number. It is
24 his personal cell phone, which he uses for all personal calls, and which he gives to family and
25 friends. He carries it with him and charges it in his room on his nightstand every night. It is on
26 an individual/family plan with his cellphone service provider. On 3/7/2019, Tyler registered
27 this number on the National Do Not Call Registry. In the four years preceding 4/21/2020 (the

1 date Tyler's original Complaint was filed), GoSmith sent Tyler at least 46 telemarketing text
 2 messages at this number. Tyler felt that the texts were "relentless." GoSmith knowingly and
 3 willfully sent these text messages using an automatic telephone dialing system in violation of
 4 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully
 5 sent these text messages without instituting procedures that meet the minimum standards
 6 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also
 7 in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and
 8 willfully sent at least 2 text messages to Tyler within a 12-month period after Tyler was
 9 registered on the National Do Not Call Registry, including but not limited to the period
 10 between 3/7/2019 and 1/30/2020. Tyler seeks an amount not less than \$69,000 for at least 46
 11 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$69,000 for
 12 at least 46 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Tyler seeks an
 13 amount not less than \$23,000 for at least 46 negligent violations of 47 U.S.C. § 227(b), and not
 14 less than \$23,000 for at least 46 negligent violations of 47 U.S.C. § 227(c).

15 943. Joseph Tyler personally owns and uses the cellular phone number xxx-xxx-7610.
 16 This number is a residential telephone subscription. In the four years preceding 4/22/2020 (the
 17 date Tyler's original Complaint was filed), GoSmith sent Tyler at least 68 telemarketing text
 18 messages at this number. GoSmith knowingly and willfully sent these text messages using an
 19 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
 20 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
 21 procedures that meet the minimum standards required for telemarketing in violation of 47
 22 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Tyler seeks an amount not less than \$102,000 for
 23 at least 68 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
 24 \$102,000 for at least 68 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
 25 Tyler seeks an amount not less than \$34,000 for at least 68 negligent violations of 47 U.S.C. §
 26 227(b), and not less than \$34,000 for at least 68 negligent violations of 47 U.S.C. § 227(c).

27 Finally, GoSmith sent Tyler at least 68 commercial text messages in violation of RCW §§

1 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in
2 violation of RCW § 80.36.390, for which Tyler seeks an amount not less than \$34,000,
3 attorney's fees, injunctive relief, and treble damages.

4 944. Jeff Tyree personally owns and uses the cellular phone number xxx-xxx-8620.
5 This number is a residential telephone subscription but Tyree uses the cell phone for business
6 also. On 10/24/2007, Tyree registered this number on the National Do Not Call Registry. In the
7 four years preceding 4/27/2020 (the date Tyree's original Complaint was filed), GoSmith sent
8 Tyree at least 10 telemarketing text messages at this number. GoSmith knowingly and willfully
9 sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C.
10 § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
11 text messages without instituting procedures that meet the minimum standards required for
12 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
13 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
14 least 2 text messages to Tyree within a 12-month period after Tyree was registered on the
15 National Do Not Call Registry, including but not limited to the period between 4/27/2016 and
16 4/27/2017. Tyree seeks an amount not less than \$15,000 for at least 10 knowing and willful
17 violations of 47 U.S.C. § 227(b), and an amount not less than \$15,000 for at least 10 knowing
18 and willful violations of 47 U.S.C. § 227(c). Alternatively, Tyree seeks an amount not less than
19 \$5,000 for at least 10 negligent violations of 47 U.S.C. § 227(b), and not less than \$5,000 for at
20 least 10 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Tyree at least 10
21 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an
22 undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which
23 Tyree seeks an amount not less than \$5,000, attorney's fees, injunctive relief, and treble
24 damages.

25 945. Jaime Vaca personally owns and uses the cellular phone number xxx-xxx-7332.
26 This number is a residential telephone subscription. On 9/24/2008, Vaca registered this number
27 on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date Vaca's

original Complaint was filed), GoSmith sent Vaca at least 16 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Vaca within a 12-month period after Vaca was registered on the National Do Not Call Registry, including but not limited to the period between 6/14/2017 and 9/22/2017. Vaca seeks an amount not less than \$24,000 for at least 16 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$24,000 for at least 16 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Vaca seeks an amount not less than \$8,000 for at least 16 negligent violations of 47 U.S.C. § 227(b), and not less than \$8,000 for at least 16 negligent violations of 47 U.S.C. § 227(c).

946. Terrie Vaden personally owns and uses the cellular phone number xxx-xxx-1344. This number is a residential telephone subscription and is Vaden's only phone number. It is Vaden's personal cell phone, which is used for all personal calls, and which is given to family and friends. Vaden carries the phone throughout the day and charges it on a nightstand every night. It is on an individual/family plan with the cellphone service provider. In the four years preceding 4/28/2020 (the date Vaden's original Complaint was filed), GoSmith sent Vaden at least 63 telemarketing text messages and calls at this number. GoSmith knowingly and willfully sent these text messages and calls using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages and calls without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Vaden seeks an amount not less than \$94,500 for at least 63 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$94,500 for at least 63 knowing

1 and willful violations of 47 U.S.C. § 227(c). Alternatively, Vaden seeks an amount not less
2 than \$31,500 for at least 63 negligent violations of 47 U.S.C. § 227(b), and not less than
3 \$31,500 for at least 63 negligent violations of 47 U.S.C. § 227(c).

4 947. Ron Van Tienderen personally owns and uses the cellular phone number xxx-xxx-
5 8554. This number is a residential telephone subscription and is Tienderen's only phone. It is
6 his personal cell phone. In the four years preceding 4/22/2020 (the date Van Tienderen's
7 original Complaint was filed), GoSmith sent Van Tienderen at least 329 telemarketing text
8 messages at this number. GoSmith knowingly and willfully sent these text messages using an
9 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
10 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
11 procedures that meet the minimum standards required for telemarketing in violation of 47
12 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Van Tienderen seeks an amount not less than
13 \$493,500 for at least 329 knowing and willful violations of 47 U.S.C. § 227(b), and an amount
14 not less than \$493,500 for at least 329 knowing and willful violations of 47 U.S.C. § 227(c).
15 Alternatively, Van Tienderen seeks an amount not less than \$164,500 for at least 329 negligent
16 violations of 47 U.S.C. § 227(b), and not less than \$164,500 for at least 329 negligent
17 violations of 47 U.S.C. § 227(c).

18 948. Robert VanderKloot personally owns and uses the cellular phone number xxx-
19 xxx-4428. This number is a residential telephone subscription and is VanderKloot's only phone
20 number. It is VanderKloot's personal cell phone, which is used for all personal calls, and which
21 is given to family and friends. He carries the phone throughout the day and charges it on a
22 nightstand every night. It is on an individual/family plan with the cellphone service provider.
23 In the four years preceding 4/28/2020 (the date VanderKloot's original Complaint was filed),
24 GoSmith sent VanderKloot at least 4 telemarketing text messages at this number. GoSmith
25 knowingly and willfully sent these text messages using an automatic telephone dialing system
26 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith
27 knowingly and willfully sent these text messages without instituting procedures that meet the

1 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.
2 § 64.1200(d). VanderKloot seeks an amount not less than \$6,000 for at least 4 knowing and
3 willful violations of 47 U.S.C. § 227(b), and an amount not less than \$6,000 for at least 4
4 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, VanderKloot seeks an
5 amount not less than \$2,000 for at least 4 negligent violations of 47 U.S.C. § 227(b), and not
6 less than \$2,000 for at least 4 negligent violations of 47 U.S.C. § 227(c).

7 949. Ivonne Varges personally owns and uses the cellular phone number xxx-xxx-
8 7052. This number is a residential telephone subscription. In the four years preceding
9 1/30/2020 (the date Varges's original Complaint was filed), GoSmith sent Varges at least 2,043
10 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
11 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
12 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
13 text messages without instituting procedures that meet the minimum standards required for
14 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Varges seeks an
15 amount not less than \$3,064,500 for at least 2,043 knowing and willful violations of 47 U.S.C.
16 § 227(b), and an amount not less than \$3,064,500 for at least 2,043 knowing and willful
17 violations of 47 U.S.C. § 227(c). Alternatively, Varges seeks an amount not less than
18 \$1,021,500 for at least 2,043 negligent violations of 47 U.S.C. § 227(b), and not less than
19 \$1,021,500 for at least 2,043 negligent violations of 47 U.S.C. § 227(c).

20 950. Gheorghe Vasile personally owns and uses the cellular phone number xxx-xxx-
21 7505. This number is a residential telephone subscription and is Vasile's only phone number. It
22 is his personal cell phone, which is used for all personal calls, and which is given to family and
23 friends. He carries the phone throughout the day and charges it on a nightstand every night. It
24 is on an individual/family plan with the cellphone service provider. In the four years preceding
25 4/21/2020 (the date Vasile's original Complaint was filed), GoSmith sent Vasile at least 7
26 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
27 messages using an automatic telephone dialing system in violation of 47 U.S.C. §

227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Vasile seeks an amount not less than \$10,500 for at least 7 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$10,500 for at least 7 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Vasile seeks an amount not less than \$3,500 for at least 7 negligent violations of 47 U.S.C. § 227(b), and not less than \$3,500 for at least 7 negligent violations of 47 U.S.C. § 227(c).

951. Ricky Vaughn personally owns and uses the cellular phone number xxx-xxx-9602. This number is a residential telephone subscription and is Vaughn's personal cell phone number. He uses it for all personal calls, and it is how he is contacted by family and friends. He carries the phone throughout the day and charges it on a nightstand every night. It is on an individual/family plan with the cellphone service provider. He has a separate phone line for his business, ending in -1177. In the four years preceding 1/30/2020 (the date Vaughn's original Complaint was filed), GoSmith sent Vaughn at least 318 telemarketing text messages and calls at this number. GoSmith knowingly and willfully sent these text messages and calls using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages and calls without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Vaughn seeks an amount not less than \$477,000 for at least 318 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$477,000 for at least 318 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Vaughn seeks an amount not less than \$159,000 for at least 318 negligent violations of 47 U.S.C. § 227(b), and not less than \$159,000 for at least 318 negligent violations of 47 U.S.C. § 227(c).

952. Eric Vawter personally owns and uses the cellular phone number xxx-xxx-0512. This number is a residential telephone subscription. In the four years preceding 4/27/2020 (the

date Vawter's original Complaint was filed), GoSmith sent Vawter at least 351 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Vawter seeks an amount not less than \$526,500 for at least 351 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$526,500 for at least 351 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Vawter seeks an amount not less than \$175,500 for at least 351 negligent violations of 47 U.S.C. § 227(b), and not less than \$175,500 for at least 351 negligent violations of 47 U.S.C. § 227(c).

953. Sara Vega personally owns and uses the cellular phone number xxx-xxx-5224. This number is a residential telephone subscription and is Vega's personal cell phone number. She uses it for all personal calls, and it is how she is contacted by family and friends. She carries the phone throughout the day and charges it on a nightstand every night. It is on an individual/family plan with the cellphone service provider. In the four years preceding 4/21/2020 (the date Vega's original Complaint was filed), GoSmith sent Vega at least 13 telemarketing text messages at this number. Vega was confused by the messages and complained of them to her husband, her mother, her sister, and a friend. She ignored the messages or attempted to decline them. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Vega seeks an amount not less than \$19,500 for at least 13 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$19,500 for at least 13 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Vega seeks an amount not less than \$6,500 for at least 13

1 negligent violations of 47 U.S.C. § 227(b), and not less than \$6,500 for at least 13 negligent
2 violations of 47 U.S.C. § 227(c).

3 954. Juan Vega personally owns and uses the cellular phone number xxx-xxx-0830.
4 This number is a residential telephone subscription. On 1/6/2005, Vega registered this number
5 on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date Vega's
6 original Complaint was filed), GoSmith sent Vega at least 65 telemarketing text messages at
7 this number. GoSmith knowingly and willfully sent these text messages using an automatic
8 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
9 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
10 procedures that meet the minimum standards required for telemarketing in violation of 47
11 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
12 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Vega
13 within a 12-month period after Vega was registered on the National Do Not Call Registry,
14 including but not limited to the period between 2/10/2017 and 2/10/2018. Vega seeks an
15 amount not less than \$97,500 for at least 65 knowing and willful violations of 47 U.S.C. §
16 227(b), and an amount not less than \$97,500 for at least 65 knowing and willful violations of
17 47 U.S.C. § 227(c). Alternatively, Vega seeks an amount not less than \$32,500 for at least 65
18 negligent violations of 47 U.S.C. § 227(b), and not less than \$32,500 for at least 65 negligent
19 violations of 47 U.S.C. § 227(c).

20 955. Keyshla Velez personally owns and uses the cellular phone number xxx-xxx-
21 6417. This number is a residential telephone subscription. In the four years preceding
22 4/29/2020 (the date Velez's original Complaint was filed), GoSmith sent Velez at least 45
23 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
24 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
25 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
26 text messages without instituting procedures that meet the minimum standards required for
27 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Velez seeks an

1 amount not less than \$67,500 for at least 45 knowing and willful violations of 47 U.S.C. §
2 227(b), and an amount not less than \$67,500 for at least 45 knowing and willful violations of
3 47 U.S.C. § 227(c). Alternatively, Velez seeks an amount not less than \$22,500 for at least 45
4 negligent violations of 47 U.S.C. § 227(b), and not less than \$22,500 for at least 45 negligent
5 violations of 47 U.S.C. § 227(c).

6 956. Sheldon Virgin personally owns and uses the cellular phone number xxx-xxx-
7 7812. This number is a residential telephone subscription and is Virgin's only phone number. It
8 is his personal cell phone, which he uses for all personal calls, and which he gives to family
9 and friends. He carries it with him and charges it in his room on his nightstand every night. It is
10 on an individual/family plan with his cellphone service provider. In the four years preceding
11 4/28/2020 (the date Virgin's original Complaint was filed), GoSmith sent Virgin at least 158
12 telemarketing text messages and calls at this number. Virgin repeatedly asked to unsubscribe,
13 but GoSmith did not respond. GoSmith knowingly and willfully sent these text messages and
14 calls using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii)
15 and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages and
16 calls without instituting procedures that meet the minimum standards required for
17 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Virgin seeks an
18 amount not less than \$237,000 for at least 158 knowing and willful violations of 47 U.S.C. §
19 227(b), and an amount not less than \$237,000 for at least 158 knowing and willful violations of
20 47 U.S.C. § 227(c). Alternatively, Virgin seeks an amount not less than \$79,000 for at least
21 158 negligent violations of 47 U.S.C. § 227(b), and not less than \$79,000 for at least 158
22 negligent violations of 47 U.S.C. § 227(c).

23 957. Amy Vogel personally owns and uses the cellular phone number xxx-xxx-6092.
24 This number is a residential telephone subscription and is Vogel's personal cell phone which
25 she uses for her personal calls and pays for out of a personal bank account. It is on a
26 personal/family plan with her cellphone service provider. In the four years preceding 1/30/2020
27 (the date Vogel's original Complaint was filed), GoSmith sent Vogel at least 32 telemarketing

1 text messages at this number, about 2-3 times per week. Additionally, Defendants solicited
 2 Vogel during the winter for snow removal, even though Vogel and her husband do not offer
 3 that service at all. GoSmith knowingly and willfully sent these text messages using an
 4 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
 5 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
 6 procedures that meet the minimum standards required for telemarketing in violation of 47
 7 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Vogel seeks an amount not less than \$48,000 for
 8 at least 32 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
 9 \$48,000 for at least 32 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
 10 Vogel seeks an amount not less than \$16,000 for at least 32 negligent violations of 47 U.S.C. §
 11 227(b), and not less than \$16,000 for at least 32 negligent violations of 47 U.S.C. § 227(c).
 12 Finally, GoSmith sent Vogel at least 32 commercial text messages in violation of RCW §§
 13 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in
 14 violation of RCW § 80.36.390, for which Vogel seeks an amount not less than \$16,000,
 15 attorney's fees, injunctive relief, and treble damages.

16 958. Jim Voyles personally owns and uses the cellular phone number xxx-xxx-1561.
 17 This number is a residential telephone subscription and is Voyles's personal cell phone which
 18 he uses for his personal calls and pays for out of a personal bank account. It is on a
 19 personal/family plan with his cellphone service provider. In the four years preceding 4/24/2020
 20 (the date Voyles's original Complaint was filed), GoSmith sent Voyles at least 15
 21 telemarketing text messages at this number, at least one text per week for three months. Voyles
 22 replied several times that he was not interested and never received a response, while the texts
 23 kept coming. GoSmith knowingly and willfully sent these text messages using an automatic
 24 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
 25 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
 26 procedures that meet the minimum standards required for telemarketing in violation of 47
 27 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Voyles seeks an amount not less than \$22,500 for

1 at least 15 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
2 \$22,500 for at least 15 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
3 Voyles seeks an amount not less than \$7,500 for at least 15 negligent violations of 47 U.S.C. §
4 227(b), and not less than \$7,500 for at least 15 negligent violations of 47 U.S.C. § 227(c).

5 959. Nicole Wade personally owns and uses the cellular phone number xxx-xxx-0859.
6 This number is a residential telephone subscription. In the four years preceding 4/28/2020 (the
7 date Wade's original Complaint was filed), GoSmith sent Wade at least 2 telemarketing text
8 messages at this number. GoSmith knowingly and willfully sent these text messages using an
9 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
10 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
11 procedures that meet the minimum standards required for telemarketing in violation of 47
12 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Wade seeks an amount not less than \$3,000 for at
13 least 2 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
14 \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Wade
15 seeks an amount not less than \$1,000 for at least 2 negligent violations of 47 U.S.C. § 227(b),
16 and not less than \$1,000 for at least 2 negligent violations of 47 U.S.C. § 227(c).

17 960. Dean Walden personally owns and uses the cellular phone number xxx-xxx-2314.
18 This number is a residential telephone subscription and is Walden's personal cell phone which
19 he uses for his personal calls and pays for out of a personal bank account. It is on a
20 personal/family plan with his cellphone service provider. In the four years preceding 1/30/2020
21 (the date Walden's original Complaint was filed), GoSmith sent Walden at least 29
22 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
23 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
24 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
25 text messages without instituting procedures that meet the minimum standards required for
26 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Walden seeks an
27 amount not less than \$43,500 for at least 29 knowing and willful violations of 47 U.S.C. §

227(b), and an amount not less than \$43,500 for at least 29 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Walden seeks an amount not less than \$14,500 for at least 29 negligent violations of 47 U.S.C. § 227(b), and not less than \$14,500 for at least 29 negligent violations of 47 U.S.C. § 227(c).

961. Desjawn Waldrop personally owns and uses the cellular phone number xxx-xxx-6062. This number is a residential telephone subscription. In the four years preceding 4/22/2020 (the date Waldrop's original Complaint was filed), GoSmith sent Waldrop at least 66 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Waldrop seeks an amount not less than \$99,000 for at least 66 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$99,000 for at least 66 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Waldrop seeks an amount not less than \$33,000 for at least 66 negligent violations of 47 U.S.C. § 227(b), and not less than \$33,000 for at least 66 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Waldrop at least 66 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which Waldrop seeks an amount not less than \$33,000, attorney's fees, injunctive relief, and treble damages.

962. Russell Walker personally owns and uses the cellular phone number xxx-xxx-8679. This number is a residential telephone subscription. In the four years preceding 4/22/2020 (the date Walker's original Complaint was filed), GoSmith sent Walker at least 11 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these

1 text messages without instituting procedures that meet the minimum standards required for
2 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Walker seeks an
3 amount not less than \$16,500 for at least 11 knowing and willful violations of 47 U.S.C. §
4 227(b), and an amount not less than \$16,500 for at least 11 knowing and willful violations of
5 47 U.S.C. § 227(c). Alternatively, Walker seeks an amount not less than \$5,500 for at least 11
6 negligent violations of 47 U.S.C. § 227(b), and not less than \$5,500 for at least 11 negligent
7 violations of 47 U.S.C. § 227(c).

8 963. Jeremy Wallen personally owns and uses the cellular phone number xxx-xxx-
9 1743. This number is a residential telephone subscription and is Wallen's personal cell phone.
10 It is his only phone, and the phone he uses for his personal calls. He pays for it out of a
11 personal bank account. It is on a personal/family plan with his cellphone service provider. On
12 10/12/2012, Wallen registered this number on the National Do Not Call Registry. In the four
13 years preceding 1/30/2020 (the date Wallen's original Complaint was filed), GoSmith sent
14 Wallen at least 64 telemarketing text messages at this number. Upon information and belief,
15 the actual number of violations is much higher. GoSmith knowingly and willfully sent these
16 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
17 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
18 text messages without instituting procedures that meet the minimum standards required for
19 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
20 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
21 least 2 text messages to Wallen within a 12-month period after Wallen was registered on the
22 National Do Not Call Registry, including but not limited to the period between 4/28/2017 and
23 4/28/2018. Wallen seeks an amount not less than \$96,000 for at least 64 knowing and willful
24 violations of 47 U.S.C. § 227(b), and an amount not less than \$96,000 for at least 64 knowing
25 and willful violations of 47 U.S.C. § 227(c). Alternatively, Wallen seeks an amount not less
26 than \$32,000 for at least 64 negligent violations of 47 U.S.C. § 227(b), and not less than
27 \$32,000 for at least 64 negligent violations of 47 U.S.C. § 227(c).

1 964. Taylor Warchot personally owns and uses the cellular phone number xxx-xxx-
 2 2788. This number is a residential telephone subscription and is Warchot's only phone number,
 3 which he uses for all his personal calls. In the four years preceding 4/21/2020 (the date
 4 Warchot's original Complaint was filed), GoSmith sent Warchot at least 50 telemarketing text
 5 messages, at least 1-3 texts per day at this number for a month. GoSmith knowingly and
 6 willfully sent these text messages using an automatic telephone dialing system in violation of
 7 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully
 8 sent these text messages without instituting procedures that meet the minimum standards
 9 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d).
 10 Warchot seeks an amount not less than \$75,000 for at least 50 knowing and willful violations
 11 of 47 U.S.C. § 227(b), and an amount not less than \$75,000 for at least 50 knowing and willful
 12 violations of 47 U.S.C. § 227(c). Alternatively, Warchot seeks an amount not less than \$25,000
 13 for at least 50 negligent violations of 47 U.S.C. § 227(b), and not less than \$25,000 for at least
 14 50 negligent violations of 47 U.S.C. § 227(c).

15 965. Scott Wargo personally owns and uses the cellular phone number xxx-xxx-7424.
 16 This number is a residential telephone subscription and is Wargo's personal cell phone. It is his
 17 only phone, and the phone he uses for his personal calls. He pays for it out of a personal bank
 18 account. It is on a personal/family plan with his cellphone service provider. In the four years
 19 preceding 1/30/2020 (the date Wargo's original Complaint was filed), GoSmith sent Wargo at
 20 least 7 telemarketing text messages at this number. GoSmith knowingly and willfully sent
 21 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
 22 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
 23 text messages without instituting procedures that meet the minimum standards required for
 24 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Wargo seeks an
 25 amount not less than \$10,500 for at least 7 knowing and willful violations of 47 U.S.C. §
 26 227(b), and an amount not less than \$10,500 for at least 7 knowing and willful violations of 47
 27 U.S.C. § 227(c). Alternatively, Wargo seeks an amount not less than \$3,500 for at least 7

1 negligent violations of 47 U.S.C. § 227(b), and not less than \$3,500 for at least 7 negligent
2 violations of 47 U.S.C. § 227(c).

3 966. Leland Washington personally owns and uses the cellular phone number xxx-xxx-
4 2314. This number is a residential telephone subscription. In the four years preceding
5 4/22/2020 (the date Washington's original Complaint was filed), GoSmith sent Washington at
6 least 7 telemarketing text messages at this number. GoSmith knowingly and willfully sent
7 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
8 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
9 text messages without instituting procedures that meet the minimum standards required for
10 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Washington seeks
11 an amount not less than \$10,500 for at least 7 knowing and willful violations of 47 U.S.C. §
12 227(b), and an amount not less than \$10,500 for at least 7 knowing and willful violations of 47
13 U.S.C. § 227(c). Alternatively, Washington seeks an amount not less than \$3,500 for at least 7
14 negligent violations of 47 U.S.C. § 227(b), and not less than \$3,500 for at least 7 negligent
15 violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Washington at least 7 commercial text
16 messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined
17 number of telephone solicitations in violation of RCW § 80.36.390, for which Washington
18 seeks an amount not less than \$3,500, attorney's fees, injunctive relief, and treble damages.

19 967. Chere Watson personally owns and uses the cellular phone number xxx-xxx-
20 5818. This number is a residential telephone subscription and is Watson's personal cell phone.
21 It is her only phone, and the phone she uses for her personal calls. She pays for it out of a
22 personal bank account. It is on a personal/family plan with her cellphone service provider. On
23 12/15/2004, Watson registered this number on the National Do Not Call Registry. In the four
24 years preceding 1/30/2020 (the date Watson's original Complaint was filed), GoSmith sent
25 Watson at least 2,115 telemarketing text messages at this number. Watson received, on
26 average, 15 texts per week from Defendants. GoSmith knowingly and willfully sent these text
27 messages using an automatic telephone dialing system in violation of 47 U.S.C. §

227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Watson within a 12-month period after Watson was registered on the National Do Not Call Registry, including but not limited to the period between 5/18/2017 and 5/18/2018. Watson seeks an amount not less than \$3,172,500 for at least 2,115 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$3,172,500 for at least 2,115 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Watson seeks an amount not less than \$1,057,500 for at least 2,115 negligent violations of 47 U.S.C. § 227(b), and not less than \$1,057,500 for at least 2,115 negligent violations of 47 U.S.C. § 227(c).

968. Jim Watson personally owns and uses the cellular phone number xxx-xxx-5389. This number is a residential telephone subscription. In the four years preceding 1/30/2020 (the date Watson's original Complaint was filed), GoSmith sent Watson at least 133 telemarketing text messages at this number, which were sent between 3-4 times a week. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Watson seeks an amount not less than \$199,500 for at least 133 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$199,500 for at least 133 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Watson seeks an amount not less than \$66,500 for at least 133 negligent violations of 47 U.S.C. § 227(b), and not less than \$66,500 for at least 133 negligent violations of 47 U.S.C. § 227(c).

969. Bruce Watson personally owns and uses the cellular phone number xxx-xxx-9282. This number is a residential telephone subscription. In the four years preceding 4/22/2020 (the date Watson's original Complaint was filed), GoSmith sent Watson at least 24

1 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
 2 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
 3 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
 4 text messages without instituting procedures that meet the minimum standards required for
 5 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Watson seeks an
 6 amount not less than \$36,000 for at least 24 knowing and willful violations of 47 U.S.C. §
 7 227(b), and an amount not less than \$36,000 for at least 24 knowing and willful violations of
 8 47 U.S.C. § 227(c). Alternatively, Watson seeks an amount not less than \$12,000 for at least 24
 9 negligent violations of 47 U.S.C. § 227(b), and not less than \$12,000 for at least 24 negligent
 10 violations of 47 U.S.C. § 227(c).

11 970. Jonathan Way personally owns and uses the cellular phone number xxx-xxx-
 12 9900. This number is a residential telephone subscription but is used primarily for business. In
 13 the four years preceding 4/29/2020 (the date Way's original Complaint was filed), GoSmith
 14 sent Way at least 375 telemarketing text messages at this number, despite Way's repeated
 15 attempts to reply "STOP" and be unsubscribed. Way researched the company and concluded
 16 the leads were fake and that there was no value in GoSmith's services, but they kept
 17 bombarding him with text messages. GoSmith knowingly and willfully sent these text
 18 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
 19 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
 20 text messages without instituting procedures that meet the minimum standards required for
 21 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Way seeks an
 22 amount not less than \$562,500 for at least 375 knowing and willful violations of 47 U.S.C. §
 23 227(b). Alternatively, Way seeks an amount not less than \$187,500 for at least 375 negligent
 24 violations of 47 U.S.C. § 227(b).

25 971. Robert Waynick personally owns and uses the cellular phone number xxx-xxx-
 26 8056. This number is a residential telephone subscription and is Waynick's personal cell phone.
 27 It is his only phone, and the phone he uses for personal calls. He pays for it out of a personal

1 bank account. It is on a personal/family plan with his cellphone service provider. He does make
2 work calls relating to his home-based business with this phone. In the four years preceding
3 1/30/2020 (the date Waynick's original Complaint was filed), GoSmith sent Waynick at least
4 16 telemarketing text messages at this number, which Waynick is still receiving although this
5 lawsuit has been filed. GoSmith knowingly and willfully sent these text messages using an
6 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
7 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
8 procedures that meet the minimum standards required for telemarketing in violation of 47
9 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Waynick seeks an amount not less than \$24,000
10 for at least 16 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less
11 than \$24,000 for at least 16 knowing and willful violations of 47 U.S.C. § 227(c).

12 Alternatively, Waynick seeks an amount not less than \$8,000 for at least 16 negligent
13 violations of 47 U.S.C. § 227(b), and not less than \$8,000 for at least 16 negligent violations of
14 47 U.S.C. § 227(c).

15 972. Wendell Weedon personally owns and uses the cellular phone number xxx-xxx-
16 0323. This number is a residential telephone subscription. In the four years preceding
17 1/30/2020 (the date Weedon's original Complaint was filed), GoSmith sent Weedon at least 58
18 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
19 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
20 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
21 text messages without instituting procedures that meet the minimum standards required for
22 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Weedon seeks an
23 amount not less than \$87,000 for at least 58 knowing and willful violations of 47 U.S.C. §
24 227(b), and an amount not less than \$87,000 for at least 58 knowing and willful violations of
25 47 U.S.C. § 227(c). Alternatively, Weedon seeks an amount not less than \$29,000 for at least
26 58 negligent violations of 47 U.S.C. § 227(b), and not less than \$29,000 for at least 58
27 negligent violations of 47 U.S.C. § 227(c).

1 973. Matthew Wegener personally owns and uses the cellular phone number xxx-xxx-
2 1560. This number is a residential telephone subscription. In the four years preceding
3 1/30/2020 (the date Wegener's original Complaint was filed), GoSmith sent Wegener at least
4 25 telemarketing text messages at this number. GoSmith knowingly and willfully sent these
5 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
6 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
7 text messages without instituting procedures that meet the minimum standards required for
8 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Wegener seeks an
9 amount not less than \$37,500 for at least 25 knowing and willful violations of 47 U.S.C. §
10 227(b), and an amount not less than \$37,500 for at least 25 knowing and willful violations of
11 47 U.S.C. § 227(c). Alternatively, Wegener seeks an amount not less than \$12,500 for at least
12 25 negligent violations of 47 U.S.C. § 227(b), and not less than \$12,500 for at least 25
13 negligent violations of 47 U.S.C. § 227(c).

14 974. Brandon Weichers personally owns and uses the cellular phone number xxx-xxx-
15 1066. This number is a residential telephone subscription and is Weichers's personal cell
16 phone. It is his only phone, and the phone he uses for personal calls. He pays for it out of a
17 personal bank account. It is on a personal/family plan with his cellphone service provider. In
18 the four years preceding 4/28/2020 (the date Weichers's original Complaint was filed),
19 GoSmith sent Weichers at least 230 telemarketing text messages at this number, at least one
20 message a day. There was never a way for Weichers to opt out of receiving the messages and
21 they wouldn't stop sending them. GoSmith knowingly and willfully sent these text messages
22 using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and
23 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
24 instituting procedures that meet the minimum standards required for telemarketing in violation
25 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Weichers seeks an amount not less than
26 \$345,000 for at least 230 knowing and willful violations of 47 U.S.C. § 227(b), and an amount
27 not less than \$345,000 for at least 230 knowing and willful violations of 47 U.S.C. § 227(c).

1 Alternatively, Weichers seeks an amount not less than \$115,000 for at least 230 negligent
2 violations of 47 U.S.C. § 227(b), and not less than \$115,000 for at least 230 negligent
3 violations of 47 U.S.C. § 227(c).

4 975. Kevin Weller personally owns and uses the cellular phone number xxx-xxx-3694.
5 This number is a residential telephone subscription and is Weller's personal cell phone. It is his
6 only phone, and the phone he uses for personal calls. He pays for it out of a personal bank
7 account. It is on a personal/family plan with his cellphone service provider. In the four years
8 preceding 1/30/2020 (the date Weller's original Complaint was filed), GoSmith sent Weller at
9 least 10 telemarketing text messages at this number. GoSmith knowingly and willfully sent
10 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
11 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
12 text messages without instituting procedures that meet the minimum standards required for
13 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Weller seeks an
14 amount not less than \$15,000 for at least 10 knowing and willful violations of 47 U.S.C. §
15 227(b), and an amount not less than \$15,000 for at least 10 knowing and willful violations of
16 47 U.S.C. § 227(c). Alternatively, Weller seeks an amount not less than \$5,000 for at least 10
17 negligent violations of 47 U.S.C. § 227(b), and not less than \$5,000 for at least 10 negligent
18 violations of 47 U.S.C. § 227(c).

19 976. Jessica Welshiemer personally owns and uses the cellular phone number xxx-xxx-
20 9737. This number is a residential telephone subscription. In the four years preceding
21 4/21/2020 (the date Welshiemer's original Complaint was filed), GoSmith sent Welshiemer at
22 least 67 telemarketing text messages at this number. GoSmith knowingly and willfully sent
23 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
24 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
25 text messages without instituting procedures that meet the minimum standards required for
26 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Welshiemer seeks
27 an amount not less than \$100,500 for at least 67 knowing and willful violations of 47 U.S.C. §

227(b), and an amount not less than \$100,500 for at least 67 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Welshierner seeks an amount not less than \$33,500 for at least 67 negligent violations of 47 U.S.C. § 227(b), and not less than \$33,500 for at least 67 negligent violations of 47 U.S.C. § 227(c).

977. Tauna Westwood personally owns and uses the cellular phone number xxx-xxx-5708. This number is a residential telephone subscription. In the four years preceding 4/22/2020 (the date Westwood's original Complaint was filed), GoSmith sent Westwood at least 9 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Westwood seeks an amount not less than \$13,500 for at least 9 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$13,500 for at least 9 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Westwood seeks an amount not less than \$4,500 for at least 9 negligent violations of 47 U.S.C. § 227(b), and not less than \$4,500 for at least 9 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Westwood at least 9 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which Westwood seeks an amount not less than \$4,500, attorney's fees, injunctive relief, and treble damages.

978. Lilly Wetzel personally owns and uses the cellular phone number xxx-xxx-8331. This number is a residential telephone subscription. In the four years preceding 1/30/2020 (the date Wetzel's original Complaint was filed), GoSmith sent Wetzel at least 63 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47

1 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Wetzel seeks an amount not less than \$94,500 for
2 at least 63 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
3 \$94,500 for at least 63 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
4 Wetzel seeks an amount not less than \$31,500 for at least 63 negligent violations of 47 U.S.C.
5 § 227(b), and not less than \$31,500 for at least 63 negligent violations of 47 U.S.C. § 227(c).

6 979. Wayne White personally owns and uses the cellular phone number xxx-xxx-0371.
7 This number is a residential telephone subscription. In the four years preceding 1/30/2020 (the
8 date White's original Complaint was filed), GoSmith sent White at least 67 telemarketing text
9 messages at this number. GoSmith knowingly and willfully sent these text messages using an
10 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
11 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
12 procedures that meet the minimum standards required for telemarketing in violation of 47
13 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). White seeks an amount not less than \$100,500 for
14 at least 67 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
15 \$100,500 for at least 67 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
16 White seeks an amount not less than \$33,500 for at least 67 negligent violations of 47 U.S.C. §
17 227(b), and not less than \$33,500 for at least 67 negligent violations of 47 U.S.C. § 227(c).

18 980. Ronald White personally owns and uses the cellular phone number xxx-xxx-1194.
19 This number is a residential telephone subscription and is White's personal cell phone. It is his
20 only phone, and the phone he uses for personal calls. He pays for it out of a personal bank
21 account. It is on a personal/family plan with his cellphone service provider. In the four years
22 preceding 4/24/2020 (the date White's original Complaint was filed), GoSmith sent White at
23 least 158 telemarketing text messages at this number, at least 1 or 2 a week. GoSmith
24 knowingly and willfully sent these text messages using an automatic telephone dialing system
25 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith
26 knowingly and willfully sent these text messages without instituting procedures that meet the
27 minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R.

§ 64.1200(d). White seeks an amount not less than \$237,000 for at least 158 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$237,000 for at least 158 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, White seeks an amount not less than \$79,000 for at least 158 negligent violations of 47 U.S.C. § 227(b), and not less than \$79,000 for at least 158 negligent violations of 47 U.S.C. § 227(c).

981. Benjamin White personally owns and uses the cellular phone number xxx-xxx-4314. This number is a residential telephone subscription and is White's personal cell phone. It is his only phone, and the phone he uses for personal calls. He pays for it out of a personal bank account. It is on a personal/family plan with his cellphone service provider. In the four years preceding 4/22/2020 (the date White's original Complaint was filed), GoSmith sent White at least 22 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). White seeks an amount not less than \$33,000 for at least 22 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$33,000 for at least 22 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, White seeks an amount not less than \$11,000 for at least 22 negligent violations of 47 U.S.C. § 227(b), and not less than \$11,000 for at least 22 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent White at least 22 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which White seeks an amount not less than \$11,000, attorney's fees, injunctive relief, and treble damages.

982. Mark Whited personally owns and uses the cellular phone number xxx-xxx-5985. This number is a residential telephone subscription and is Whited's personal cell phone. It is his only phone, and the phone he uses for personal calls. It is on a personal/family plan with his

1 cellphone service provider. On 2/3/2006, Whited registered this number on the National Do
2 Not Call Registry. In the four years preceding 4/21/2020 (the date Whited's original Complaint
3 was filed), GoSmith sent Whited at least 24 telemarketing text messages at this number.
4 GoSmith knowingly and willfully sent these text messages using an automatic telephone
5 dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7).
6 GoSmith knowingly and willfully sent these text messages without instituting procedures that
7 meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and
8 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c),
9 GoSmith knowingly and willfully sent at least 2 text messages to Whited within a 12-month
10 period after Whited was registered on the National Do Not Call Registry, including but not
11 limited to the period between 9/15/2017 and 9/15/2018. Whited seeks an amount not less than
12 \$36,000 for at least 24 knowing and willful violations of 47 U.S.C. § 227(b), and an amount
13 not less than \$36,000 for at least 24 knowing and willful violations of 47 U.S.C. § 227(c).
14 Alternatively, Whited seeks an amount not less than \$12,000 for at least 24 negligent violations
15 of 47 U.S.C. § 227(b), and not less than \$12,000 for at least 24 negligent violations of 47
16 U.S.C. § 227(c).

17 983. Craig Whyde personally owns and uses the cellular phone number xxx-xxx-8516.
18 This number is a residential telephone subscription. In the four years preceding 1/30/2020 (the
19 date Whyde's original Complaint was filed), GoSmith sent Whyde at least 500 telemarketing
20 text messages at this number, which has continued after the filing of this lawsuit, although
21 Whyde has repeatedly asked Defendants to stop. Whyde states that he can't make the messages
22 and calls stop, so he is forced to attempt to ignore them. GoSmith knowingly and willfully sent
23 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
24 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
25 text messages without instituting procedures that meet the minimum standards required for
26 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Whyde seeks an
27 amount not less than \$750,000 for at least 500 knowing and willful violations of 47 U.S.C. §

227(b), and an amount not less than \$750,000 for at least 500 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Whyde seeks an amount not less than \$250,000 for at least 500 negligent violations of 47 U.S.C. § 227(b), and not less than \$250,000 for at least 500 negligent violations of 47 U.S.C. § 227(c).

984. Rupa Wickrama personally owns and uses the cellular phone number xxx-xxx-6145. This number is a residential telephone subscription. On 6/29/2003, Wickrama registered this number on the National Do Not Call Registry. In the four years preceding 4/22/2020 (the date Wickrama's original Complaint was filed), GoSmith sent Wickrama at least 9 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Wickrama within a 12-month period after Wickrama was registered on the National Do Not Call Registry, including but not limited to the period between 4/22/2016 and 4/22/2017. Wickrama seeks an amount not less than \$13,500 for at least 9 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$13,500 for at least 9 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Wickrama seeks an amount not less than \$4,500 for at least 9 negligent violations of 47 U.S.C. § 227(b), and not less than \$4,500 for at least 9 negligent violations of 47 U.S.C. § 227(c).

985. David Wigren personally owns and uses the cellular phone number xxx-xxx-5854. This number is a residential telephone subscription and is Wigren's personal cell phone. It is his only phone, and the phone he uses for personal calls. He pays for it out of a personal bank account. It is on a personal/family plan with his cellphone service provider. In the four years preceding 4/24/2020 (the date Wigren's original Complaint was filed), GoSmith sent Wigren at least 171 telemarketing text messages at this number. GoSmith knowingly and

1 willfully sent these text messages using an automatic telephone dialing system in violation of
2 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully
3 sent these text messages without instituting procedures that meet the minimum standards
4 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d).
5 Wigren seeks an amount not less than \$256,500 for at least 171 knowing and willful violations
6 of 47 U.S.C. § 227(b), and an amount not less than \$256,500 for at least 171 knowing and
7 willful violations of 47 U.S.C. § 227(c). Alternatively, Wigren seeks an amount not less than
8 \$85,500 for at least 171 negligent violations of 47 U.S.C. § 227(b), and not less than \$85,500
9 for at least 171 negligent violations of 47 U.S.C. § 227(c).

10 986. Justin Wilks personally owns and uses the cellular phone number xxx-xxx-5104.
11 This number is a residential telephone subscription and is Wilks's personal cell phone. It is his
12 only phone, and the phone he uses for personal calls. He pays for it out of a personal bank
13 account. It is on a personal/family plan with his cellphone service provider. On 4/12/2019,
14 Wilks registered this number on the National Do Not Call Registry. In the four years preceding
15 4/28/2020 (the date Wilks's original Complaint was filed), GoSmith sent Wilks at least 119
16 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
17 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
18 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
19 text messages without instituting procedures that meet the minimum standards required for
20 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation
21 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at
22 least 2 text messages to Wilks within a 12-month period after Wilks was registered on the
23 National Do Not Call Registry, including but not limited to the period between 4/12/2019 and
24 1/30/2020. Wilks seeks an amount not less than \$178,500 for at least 119 knowing and willful
25 violations of 47 U.S.C. § 227(b), and an amount not less than \$178,500 for at least 119
26 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Wilks seeks an amount not
27

1 less than \$59,500 for at least 119 negligent violations of 47 U.S.C. § 227(b), and not less than
2 \$59,500 for at least 119 negligent violations of 47 U.S.C. § 227(c).

3 987. William Williams personally owns and uses the cellular phone number xxx-xxx-
4 3004. This number is a residential telephone subscription, but Williams uses it for business use
5 exclusively and does not take any personal calls at this number. In the four years preceding
6 1/30/2020 (the date Williams's original Complaint was filed), GoSmith sent Williams at least
7 21 telemarketing text messages at this number. GoSmith knowingly and willfully sent these
8 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
9 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
10 text messages without instituting procedures that meet the minimum standards required for
11 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Williams seeks an
12 amount not less than \$31,500 for at least 21 knowing and willful violations of 47 U.S.C. §
13 227(b). Alternatively, Williams seeks an amount not less than \$10,500 for at least 21 negligent
14 violations of 47 U.S.C. § 227(b).

15 988. Eric Williams personally owns and uses the cellular phone number xxx-xxx-4882.
16 This number is a residential telephone subscription and is Williams's personal cell phone. It is
17 his only phone, and the phone he uses for personal calls. He pays for it out of a personal bank
18 account. It is on a personal/family plan with his cellphone service provider. On 4/22/2009,
19 Williams registered this number on the National Do Not Call Registry. In the four years
20 preceding 1/30/2020 (the date Williams's original Complaint was filed), GoSmith sent
21 Williams at least 8 telemarketing text messages at this number. GoSmith knowingly and
22 willfully sent these text messages using an automatic telephone dialing system in violation of
23 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully
24 sent these text messages without instituting procedures that meet the minimum standards
25 required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also
26 in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and
27 willfully sent at least 2 text messages to Williams within a 12-month period after Williams was

1 registered on the National Do Not Call Registry, including but not limited to the period
2 between 5/6/2017 and 5/6/2018. Williams seeks an amount not less than \$12,000 for at least 8
3 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$12,000 for
4 at least 8 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Williams seeks
5 an amount not less than \$4,000 for at least 8 negligent violations of 47 U.S.C. § 227(b), and not
6 less than \$4,000 for at least 8 negligent violations of 47 U.S.C. § 227(c).

7 989. Galen Williams personally owns and uses the cellular phone number xxx-xxx-
8 6246. This number is a residential telephone subscription. In the four years preceding
9 4/22/2020 (the date Williams's original Complaint was filed), GoSmith sent Williams at least
10 34 telemarketing text messages at this number. GoSmith knowingly and willfully sent these
11 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
12 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
13 text messages without instituting procedures that meet the minimum standards required for
14 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Williams seeks an
15 amount not less than \$51,000 for at least 34 knowing and willful violations of 47 U.S.C. §
16 227(b), and an amount not less than \$51,000 for at least 34 knowing and willful violations of
17 47 U.S.C. § 227(c). Alternatively, Williams seeks an amount not less than \$17,000 for at least
18 34 negligent violations of 47 U.S.C. § 227(b), and not less than \$17,000 for at least 34
19 negligent violations of 47 U.S.C. § 227(c).

20 990. Robert Williams personally owns and uses the cellular phone number xxx-xxx-
21 4267. This number is a residential telephone subscription and is Williams's personal cell
22 phone. It is his only phone, and the phone he uses for personal calls. He does not have a
23 business phone. He pays for it out of a personal bank account. It is on a personal/family plan
24 with his cellphone service provider. In the four years preceding 4/22/2020 (the date Williams's
25 original Complaint was filed), GoSmith sent Williams at least 310 telemarketing text messages
26 at this number, at a rate of 2 per day. The texts angered Williams and his coworkers and he
27 expressed his frustration to his wife. GoSmith knowingly and willfully sent these text messages

1 using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and
 2 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
 3 instituting procedures that meet the minimum standards required for telemarketing in violation
 4 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Williams seeks an amount not less than
 5 \$465,000 for at least 310 knowing and willful violations of 47 U.S.C. § 227(b), and an amount
 6 not less than \$465,000 for at least 310 knowing and willful violations of 47 U.S.C. § 227(c).
 7 Alternatively, Williams seeks an amount not less than \$155,000 for at least 310 negligent
 8 violations of 47 U.S.C. § 227(b), and not less than \$155,000 for at least 310 negligent
 9 violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Williams at least 310 commercial text
 10 messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined
 11 number of telephone solicitations in violation of RCW § 80.36.390, for which Williams seeks
 12 an amount not less than \$155,000, attorney's fees, injunctive relief, and treble damages.

13 991. Brad Willms personally owns and uses the cellular phone number xxx-xxx-9503.
 14 This number is a residential telephone subscription. On 11/29/2007, Willms registered this
 15 number on the National Do Not Call Registry. In the four years preceding 4/27/2020 (the date
 16 Willms's original Complaint was filed), GoSmith sent Willms at least 2 telemarketing text
 17 messages at this number. GoSmith knowingly and willfully sent these text messages using an
 18 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
 19 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
 20 procedures that meet the minimum standards required for telemarketing in violation of 47
 21 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
 22 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Willms
 23 within a 12-month period after Willms was registered on the National Do Not Call Registry,
 24 including but not limited to the period between 4/20/2017 and 4/20/2018. Willms seeks an
 25 amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. § 227(b),
 26 and an amount not less than \$3,000 for at least 2 knowing and willful violations of 47 U.S.C. §
 27 227(c). Alternatively, Willms seeks an amount not less than \$1,000 for at least 2 negligent

1 violations of 47 U.S.C. § 227(b), and not less than \$1,000 for at least 2 negligent violations of
2 47 U.S.C. § 227(c). Finally, GoSmith sent Willms at least 2 commercial text messages in
3 violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined number of
4 telephone solicitations in violation of RCW § 80.36.390, for which Willms seeks an amount
5 not less than \$1,000, attorney's fees, injunctive relief, and treble damages.

6 992. Dennis Wilson personally owns and uses the cellular phone number xxx-xxx-
7 0782. This number is a residential telephone subscription and is Wilson's personal cell phone.
8 It is his only phone, and the phone he uses for personal calls. He does not have a business
9 phone. He pays for it out of a personal bank account. It is on a personal/family plan with his
10 cellphone service provider. On 7/1/2003, Wilson registered this number on the National Do
11 Not Call Registry. In the four years preceding 1/30/2020 (the date Wilson's original Complaint
12 was filed), GoSmith sent Wilson at least 8 telemarketing text messages at this number.

13 GoSmith knowingly and willfully sent these text messages using an automatic telephone
14 dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7).

15 GoSmith knowingly and willfully sent these text messages without instituting procedures that
16 meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and
17 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c),
18 GoSmith knowingly and willfully sent at least 2 text messages to Wilson within a 12-month
19 period after Wilson was registered on the National Do Not Call Registry, including but not
20 limited to the period between 6/21/2017 and 7/1/2017. Wilson seeks an amount not less than
21 \$12,000 for at least 8 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not
22 less than \$12,000 for at least 8 knowing and willful violations of 47 U.S.C. § 227(c).

23 Alternatively, Wilson seeks an amount not less than \$4,000 for at least 8 negligent violations of
24 47 U.S.C. § 227(b), and not less than \$4,000 for at least 8 negligent violations of 47 U.S.C. §
25 227(c).

26 993. Kenneth Wilson personally owns and uses the cellular phone number xxx-xxx-
27 1554. This number is a residential telephone subscription. On 2/7/2016, Wilson registered this

1 number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date
2 Wilson's original Complaint was filed), GoSmith sent Wilson at least 8 telemarketing text
3 messages at this number. GoSmith knowingly and willfully sent these text messages using an
4 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
5 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
6 procedures that meet the minimum standards required for telemarketing in violation of 47
7 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
8 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Wilson
9 within a 12-month period after Wilson was registered on the National Do Not Call Registry,
10 including but not limited to the period between 6/23/2017 and 6/23/2017. Wilson seeks an
11 amount not less than \$12,000 for at least 8 knowing and willful violations of 47 U.S.C. §
12 227(b), and an amount not less than \$12,000 for at least 8 knowing and willful violations of 47
13 U.S.C. § 227(c). Alternatively, Wilson seeks an amount not less than \$4,000 for at least 8
14 negligent violations of 47 U.S.C. § 227(b), and not less than \$4,000 for at least 8 negligent
15 violations of 47 U.S.C. § 227(c).

16 994. John Wilton personally owns and uses the cellular phone number xxx-xxx-1511.
17 This number is a residential telephone subscription. On 9/29/2017, Wilton registered this
18 number on the National Do Not Call Registry. In the four years preceding 4/22/2020 (the date
19 Wilton's original Complaint was filed), GoSmith sent Wilton at least 52 telemarketing text
20 messages at this number. GoSmith knowingly and willfully sent these text messages using an
21 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
22 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
23 procedures that meet the minimum standards required for telemarketing in violation of 47
24 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
25 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Wilton
26 within a 12-month period after Wilton was registered on the National Do Not Call Registry,
27 including but not limited to the period between 9/29/2017 and 9/29/2018. Wilton seeks an

1 amount not less than \$78,000 for at least 52 knowing and willful violations of 47 U.S.C. §
2 227(b), and an amount not less than \$78,000 for at least 52 knowing and willful violations of
3 47 U.S.C. § 227(c). Alternatively, Wilton seeks an amount not less than \$26,000 for at least 52
4 negligent violations of 47 U.S.C. § 227(b), and not less than \$26,000 for at least 52 negligent
5 violations of 47 U.S.C. § 227(c).

6 995. Allen Winters personally owns and uses the cellular phone number xxx-xxx-1502.
7 This number is a residential telephone subscription. In the four years preceding 4/22/2020 (the
8 date Winters's original Complaint was filed), GoSmith sent Winters at least 27 telemarketing
9 text messages at this number. GoSmith knowingly and willfully sent these text messages using
10 an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47
11 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without
12 instituting procedures that meet the minimum standards required for telemarketing in violation
13 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Winters seeks an amount not less than
14 \$40,500 for at least 27 knowing and willful violations of 47 U.S.C. § 227(b), and an amount
15 not less than \$40,500 for at least 27 knowing and willful violations of 47 U.S.C. § 227(c).
16 Alternatively, Winters seeks an amount not less than \$13,500 for at least 27 negligent
17 violations of 47 U.S.C. § 227(b), and not less than \$13,500 for at least 27 negligent violations
18 of 47 U.S.C. § 227(c).

19 996. Nathan Wismer personally owns and uses the cellular phone number xxx-xxx-
20 2817. This number is a residential telephone subscription and is Wismer's personal cell phone.
21 It is his only phone, and the phone he uses for personal calls. He does not have a business
22 phone. He pays for it out of a personal bank account. It is on a personal/family plan with his
23 cellphone service provider. In the four years preceding 4/28/2020 (the date Wismer's original
24 Complaint was filed), GoSmith sent Wismer at least 176 telemarketing text messages and/or
25 calls at this number, at least one per week. Wismer remembers thinking, "I never signed up for
26 this." Sometimes he tried to get a response, but no one ever replied. GoSmith knowingly and
27 willfully sent these text messages and/or calls using an automatic telephone dialing system in

violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages and/or calls without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Wismer seeks an amount not less than \$264,000 for at least 176 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$264,000 for at least 176 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Wismer seeks an amount not less than \$88,000 for at least 176 negligent violations of 47 U.S.C. § 227(b), and not less than \$88,000 for at least 176 negligent violations of 47 U.S.C. § 227(c).

997. Milton Witt personally owns and uses the cellular phone number xxx-xxx-4805. This number is a residential telephone subscription and is Witt's personal cell phone. It is his only phone, and the phone he uses for personal calls. He does not have a business phone. He pays for it out of a personal bank account. It is on a personal/family plan with his cellphone service provider. In the four years preceding 4/22/2020 (the date Witt's original Complaint was filed), GoSmith sent Witt at least 5 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Witt seeks an amount not less than \$7,500 for at least 5 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$7,500 for at least 5 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Witt seeks an amount not less than \$2,500 for at least 5 negligent violations of 47 U.S.C. § 227(b), and not less than \$2,500 for at least 5 negligent violations of 47 U.S.C. § 227(c).

998. Jeffrey Wolf personally owns and uses the cellular phone number xxx-xxx-5020. This number is a residential telephone subscription and is Wolf's personal cell phone. It is his only phone, and the phone he uses for personal calls. He does not have a business phone. He pays for it out of a personal bank account. It is on a personal/family plan with his cellphone

1 service provider. On 6/10/2016, Wolf registered this number on the National Do Not Call
2 Registry. In the four years preceding 1/30/2020 (the date Wolf's original Complaint was filed),
3 GoSmith sent Wolf at least 22 telemarketing text messages at this number. GoSmith knowingly
4 and willfully sent these text messages using an automatic telephone dialing system in violation
5 of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and
6 willfully sent these text messages without instituting procedures that meet the minimum
7 standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. §
8 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith
9 knowingly and willfully sent at least 2 text messages to Wolf within a 12-month period after
10 Wolf was registered on the National Do Not Call Registry, including but not limited to the
11 period between 6/16/2017 and 7/20/2017. Wolf seeks an amount not less than \$33,000 for at
12 least 22 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
13 \$33,000 for at least 22 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
14 Wolf seeks an amount not less than \$11,000 for at least 22 negligent violations of 47 U.S.C. §
15 227(b), and not less than \$11,000 for at least 22 negligent violations of 47 U.S.C. § 227(c).

16 999. Ronald Wolfson personally owns and uses the cellular phone number xxx-xxx-
17 1111. This number is a residential telephone subscription and is Wolfson's personal cell phone.
18 It is his only phone, and the phone he uses for personal calls. He does not have a business
19 phone. He pays for it out of a personal bank account. It is on a personal/family plan with his
20 cellphone service provider. On 12/28/2007, Wolfson registered this number on the National Do
21 Not Call Registry. In the four years preceding 4/21/2020 (the date Wolfson's original
22 Complaint was filed), GoSmith sent Wolfson at least 69 telemarketing text messages at this
23 number. GoSmith knowingly and willfully sent these text messages using an automatic
24 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
25 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
26 procedures that meet the minimum standards required for telemarketing in violation of 47
27 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47

1 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Wolfson
 2 within a 12-month period after Wolfson was registered on the National Do Not Call Registry,
 3 including but not limited to the period between 4/21/2016 and 4/21/2017. Wolfson seeks an
 4 amount not less than \$103,500 for at least 69 knowing and willful violations of 47 U.S.C. §
 5 227(b), and an amount not less than \$103,500 for at least 69 knowing and willful violations of
 6 47 U.S.C. § 227(c). Alternatively, Wolfson seeks an amount not less than \$34,500 for at least
 7 69 negligent violations of 47 U.S.C. § 227(b), and not less than \$34,500 for at least 69
 8 negligent violations of 47 U.S.C. § 227(c).

9 1000. Russell Womer personally owns and uses the cellular phone number xxx-xxx-
 10 6448. This number is a residential telephone subscription. In the four years preceding
 11 4/27/2020 (the date Womer's original Complaint was filed), GoSmith sent Womer at least 31
 12 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
 13 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
 14 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
 15 text messages without instituting procedures that meet the minimum standards required for
 16 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Womer seeks an
 17 amount not less than \$46,500 for at least 31 knowing and willful violations of 47 U.S.C. §
 18 227(b), and an amount not less than \$46,500 for at least 31 knowing and willful violations of
 19 47 U.S.C. § 227(c). Alternatively, Womer seeks an amount not less than \$15,500 for at least 31
 20 negligent violations of 47 U.S.C. § 227(b), and not less than \$15,500 for at least 31 negligent
 21 violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Womer at least 31 commercial text
 22 messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined
 23 number of telephone solicitations in violation of RCW § 80.36.390, for which Womer seeks an
 24 amount not less than \$15,500, attorney's fees, injunctive relief, and treble damages.

25 1001. Pete Workman personally owns and uses the cellular phone number xxx-xxx-
 26 8097. This number is a residential telephone subscription. In the four years preceding
 27 1/30/2020 (the date Workman's original Complaint was filed), GoSmith sent Workman at least

6 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Workman seeks an amount not less than \$9,000 for at least 6 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$9,000 for at least 6 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Workman seeks an amount not less than \$3,000 for at least 6 negligent violations of 47 U.S.C. § 227(b), and not less than \$3,000 for at least 6 negligent violations of 47 U.S.C. § 227(c).

1002. Michael Wrenn personally owns and uses the cellular phone number xxx-xxx-2462. This number is a residential telephone subscription but he uses it as a work phone and does not bring it into his home. He does not advertise his home-based business or give his number to anyone except his clients by word of mouth. On 10/1/2008, Wrenn registered this number on the National Do Not Call Registry. In the four years preceding 4/27/2020 (the date Wrenn's original Complaint was filed), GoSmith sent Wrenn at least 266 telemarketing text messages and calls at this number. GoSmith called numerous times daily, for months on end. Wrenn begged GoSmith to remove him from their list, but the calls kept coming. They interrupted his work and his day. The unsolicited messages and calls were maddening. GoSmith knowingly and willfully sent these text messages and calls using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages and calls without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages and/or calls to Wrenn within a 12-month period after Wrenn was registered on the National Do Not Call Registry, including but not limited to the period between 7/13/2017 and 7/13/2018. Wrenn

1 seeks an amount not less than \$399,000 for at least 266 knowing and willful violations of 47
2 U.S.C. § 227(b). Alternatively, Wrenn seeks an amount not less than \$133,000 for at least 266
3 negligent violations of 47 U.S.C. § 227(b).

4 1003. Milton Wright personally owns and uses the cellular phone number xxx-xxx-
5 7147. This number is a residential telephone subscription. In the four years preceding
6 1/30/2020 (the date Wright's original Complaint was filed), GoSmith sent Wright at least 100
7 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
8 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
9 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
10 text messages without instituting procedures that meet the minimum standards required for
11 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Wright seeks an
12 amount not less than \$150,000 for at least 100 knowing and willful violations of 47 U.S.C. §
13 227(b), and an amount not less than \$150,000 for at least 100 knowing and willful violations of
14 47 U.S.C. § 227(c). Alternatively, Wright seeks an amount not less than \$50,000 for at least
15 100 negligent violations of 47 U.S.C. § 227(b), and not less than \$50,000 for at least 100
16 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Wright at least 100
17 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an
18 undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which
19 Wright seeks an amount not less than \$50,000, attorney's fees, injunctive relief, and treble
20 damages.

21 1004. John Wright personally owns and uses the cellular phone number xxx-xxx-5443.
22 This number is a residential telephone subscription. On 8/17/2007, Wright registered this
23 number on the National Do Not Call Registry. In the four years preceding 4/22/2020 (the date
24 Wright's original Complaint was filed), GoSmith sent Wright at least 113 telemarketing text
25 messages at this number. GoSmith knowingly and willfully sent these text messages using an
26 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
27 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting

1 procedures that meet the minimum standards required for telemarketing in violation of 47
2 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
3 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Wright
4 within a 12-month period after Wright was registered on the National Do Not Call Registry,
5 including but not limited to the period between 4/22/2016 and 4/22/2017. Wright seeks an
6 amount not less than \$169,500 for at least 113 knowing and willful violations of 47 U.S.C. §
7 227(b), and an amount not less than \$169,500 for at least 113 knowing and willful violations of
8 47 U.S.C. § 227(c). Alternatively, Wright seeks an amount not less than \$56,500 for at least
9 113 negligent violations of 47 U.S.C. § 227(b), and not less than \$56,500 for at least 113
10 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Wright at least 113
11 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an
12 undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which
13 Wright seeks an amount not less than \$56,500, attorney's fees, injunctive relief, and treble
14 damages.

15 1005. Justin Wylie personally owns and uses the cellular phone number xxx-xxx-8250.
16 This number is a residential telephone subscription. On 5/22/2018, Wylie registered this
17 number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date
18 Wylie's original Complaint was filed), GoSmith sent Wylie at least 4 telemarketing text
19 messages at this number. GoSmith knowingly and willfully sent these text messages using an
20 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
21 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
22 procedures that meet the minimum standards required for telemarketing in violation of 47
23 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
24 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Wylie
25 within a 12-month period after Wylie was registered on the National Do Not Call Registry,
26 including but not limited to the period between 5/22/2018 and 5/22/2019. Wylie seeks an
27 amount not less than \$6,000 for at least 4 knowing and willful violations of 47 U.S.C. § 227(b),

1 and an amount not less than \$6,000 for at least 4 knowing and willful violations of 47 U.S.C. §
2 227(c). Alternatively, Wylie seeks an amount not less than \$2,000 for at least 4 negligent
3 violations of 47 U.S.C. § 227(b), and not less than \$2,000 for at least 4 negligent violations of
4 47 U.S.C. § 227(c).

5 1006. Samuel Yador personally owns and uses the cellular phone number xxx-xxx-
6 8387. This number is a residential telephone subscription. On 2/8/2019, Yador registered this
7 number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date
8 Yador's original Complaint was filed), GoSmith sent Yador at least 411 telemarketing text
9 messages at this number. GoSmith knowingly and willfully sent these text messages using an
10 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
11 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
12 procedures that meet the minimum standards required for telemarketing in violation of 47
13 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
14 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Yador
15 within a 12-month period after Yador was registered on the National Do Not Call Registry,
16 including but not limited to the period between 2/8/2019 and 1/30/2020. Yador seeks an
17 amount not less than \$616,500 for at least 411 knowing and willful violations of 47 U.S.C. §
18 227(b), and an amount not less than \$616,500 for at least 411 knowing and willful violations of
19 47 U.S.C. § 227(c). Alternatively, Yador seeks an amount not less than \$205,500 for at least
20 411 negligent violations of 47 U.S.C. § 227(b), and not less than \$205,500 for at least 411
21 negligent violations of 47 U.S.C. § 227(c).

22 1007. Alexander Yakovlev personally owns and uses the cellular phone number xxx-
23 xxx-8873. This number is a residential telephone subscription. In the four years preceding
24 1/30/2020 (the date Yakovlev's original Complaint was filed), GoSmith sent Yakovlev at least
25 48 telemarketing text messages at this number. GoSmith knowingly and willfully sent these
26 text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
27 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these

1 text messages without instituting procedures that meet the minimum standards required for
2 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Yakovlev seeks
3 an amount not less than \$72,000 for at least 48 knowing and willful violations of 47 U.S.C. §
4 227(b), and an amount not less than \$72,000 for at least 48 knowing and willful violations of
5 47 U.S.C. § 227(c). Alternatively, Yakovlev seeks an amount not less than \$24,000 for at least
6 48 negligent violations of 47 U.S.C. § 227(b), and not less than \$24,000 for at least 48
7 negligent violations of 47 U.S.C. § 227(c).

8 1008. Pavel Yashin personally owns and uses the cellular phone number xxx-xxx-9280.
9 This number is a residential telephone subscription and is Yashin's personal cell phone. It is
10 Yashin's only phone, and the phone Yashin uses for personal calls. It is paid for out of a
11 personal bank account. It is on a personal/family plan with the cellphone service provider.
12 Yashin also uses this number with freelance work calls. In the four years preceding 4/28/2020
13 (the date Yashin's original Complaint was filed), GoSmith sent Yashin at least 200
14 telemarketing text messages and calls at this number, at least two per week, which Yashin kept
15 trying to stop. GoSmith knowingly and willfully sent these text messages and calls using an
16 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
17 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages and calls without
18 instituting procedures that meet the minimum standards required for telemarketing in violation
19 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Yashin seeks an amount not less than
20 \$300,000 for at least 200 knowing and willful violations of 47 U.S.C. § 227(b), and an amount
21 not less than \$300,000 for at least 200 knowing and willful violations of 47 U.S.C. § 227(c).
22 Alternatively, Yashin seeks an amount not less than \$100,000 for at least 200 negligent
23 violations of 47 U.S.C. § 227(b), and not less than \$100,000 for at least 200 negligent
24 violations of 47 U.S.C. § 227(c).

25 1009. Amy Yates personally owns and uses the cellular phone number xxx-xxx-5386.
26 This number is a residential telephone subscription. In the four years preceding 4/28/2020 (the
27 date Yates's original Complaint was filed), GoSmith sent Yates at least 11 telemarketing text

1 messages at this number. GoSmith knowingly and willfully sent these text messages using an
2 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
3 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
4 procedures that meet the minimum standards required for telemarketing in violation of 47
5 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Yates seeks an amount not less than \$16,500 for
6 at least 11 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than
7 \$16,500 for at least 11 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively,
8 Yates seeks an amount not less than \$5,500 for at least 11 negligent violations of 47 U.S.C. §
9 227(b), and not less than \$5,500 for at least 11 negligent violations of 47 U.S.C. § 227(c).

10 1010. Mike Yeates personally owns and uses the cellular phone number xxx-xxx-6108.
11 This number is a residential telephone subscription. On 8/18/2005, Yeates registered this
12 number on the National Do Not Call Registry. In the four years preceding 4/22/2020 (the date
13 Yeates's original Complaint was filed), GoSmith sent Yeates at least 26 telemarketing text
14 messages at this number. GoSmith knowingly and willfully sent these text messages using an
15 automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R.
16 § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting
17 procedures that meet the minimum standards required for telemarketing in violation of 47
18 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47
19 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Yeates
20 within a 12-month period after Yeates was registered on the National Do Not Call Registry,
21 including but not limited to the period between 4/22/2016 and 4/22/2017. Yeates seeks an
22 amount not less than \$39,000 for at least 26 knowing and willful violations of 47 U.S.C. §
23 227(b), and an amount not less than \$39,000 for at least 26 knowing and willful violations of
24 47 U.S.C. § 227(c). Alternatively, Yeates seeks an amount not less than \$13,000 for at least 26
25 negligent violations of 47 U.S.C. § 227(b), and not less than \$13,000 for at least 26 negligent
26 violations of 47 U.S.C. § 227(c).

1011. Elena Yescas personally owns and uses the cellular phone number xxx-xxx-9565. This number is a residential telephone subscription. On 2/1/2018, Yescas registered this number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date Yescas's original Complaint was filed), GoSmith sent Yescas at least 137 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Yescas within a 12-month period after Yescas was registered on the National Do Not Call Registry, including but not limited to the period between 2/1/2018 and 2/1/2019. Yescas seeks an amount not less than \$205,500 for at least 137 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$205,500 for at least 137 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Yescas seeks an amount not less than \$68,500 for at least 137 negligent violations of 47 U.S.C. § 227(b), and not less than \$68,500 for at least 137 negligent violations of 47 U.S.C. § 227(c).

1012. Benjamin Young personally owns and uses the cellular phone number xxx-xxx-0809. This number is a residential telephone subscription and is Young's personal cell phone. It is his only phone, and the phone he uses for personal calls. It is paid for out of a personal bank account. It is on a personal/family plan with the cellphone service provider. Young also uses this number with freelance work calls. In the four years preceding 1/30/2020 (the date Young's original Complaint was filed), GoSmith sent Young at least 68 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47

1 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Young seeks an amount not less than \$102,000
2 for at least 68 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less
3 than \$102,000 for at least 68 knowing and willful violations of 47 U.S.C. § 227(c).

4 Alternatively, Young seeks an amount not less than \$34,000 for at least 68 negligent violations
5 of 47 U.S.C. § 227(b), and not less than \$34,000 for at least 68 negligent violations of 47
6 U.S.C. § 227(c).

7 1013. Steve Young personally owns and uses the cellular phone number xxx-xxx-1966.
8 This number is a residential telephone subscription and is Young's personal cell phone. It is his
9 only phone, and the phone he uses for personal calls. It is paid for out of a personal bank
10 account. It is on a personal/family plan with the cellphone service provider. Young does not
11 use this phone number for work, since he has an office with staff and a landline with its own
12 number at that office. Young keeps his personal and business calls separate and does not take
13 business calls on his personal cell phone. On 1/14/2006, Young registered this number on the
14 National Do Not Call Registry. In the four years preceding 4/22/2020 (the date Young's
15 original Complaint was filed), GoSmith sent Young at least 594 telemarketing text messages
16 and/or calls at this number, at least a couple texts a day, sometimes more. GoSmith knowingly
17 and willfully sent these text messages and/or calls using an automatic telephone dialing system
18 in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith
19 knowingly and willfully sent these text messages and/or calls without instituting procedures
20 that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c)
21 and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. §
22 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages and/or calls to
23 Young within a 12-month period after Young was registered on the National Do Not Call
24 Registry, including but not limited to the period between 7/21/2017 and 7/21/2018. Young
25 seeks an amount not less than \$891,000 for at least 594 knowing and willful violations of 47
26 U.S.C. § 227(b), and an amount not less than \$891,000 for at least 594 knowing and willful
27 violations of 47 U.S.C. § 227(c). Alternatively, Young seeks an amount not less than \$297,000

1 for at least 594 negligent violations of 47 U.S.C. § 227(b), and not less than \$297,000 for at
2 least 594 negligent violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Young at least 594
3 commercial text messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an
4 undetermined number of telephone solicitations in violation of RCW § 80.36.390, for which
5 Young seeks an amount not less than \$297,000, attorney's fees, injunctive relief, and treble
6 damages.

7 1014. Jamal Yuldashev personally owns and uses the cellular phone number xxx-xxx-
8 8888. This number is a residential telephone subscription. In the four years preceding
9 4/21/2020 (the date Yuldashev's original Complaint was filed), GoSmith sent Yuldashev at
10 least 11 telemarketing text messages at this number. GoSmith knowingly and willfully sent
11 these text messages using an automatic telephone dialing system in violation of 47 U.S.C. §
12 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
13 text messages without instituting procedures that meet the minimum standards required for
14 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Yuldashev seeks
15 an amount not less than \$16,500 for at least 11 knowing and willful violations of 47 U.S.C. §
16 227(b), and an amount not less than \$16,500 for at least 11 knowing and willful violations of
17 47 U.S.C. § 227(c). Alternatively, Yuldashev seeks an amount not less than \$5,500 for at least
18 11 negligent violations of 47 U.S.C. § 227(b), and not less than \$5,500 for at least 11 negligent
19 violations of 47 U.S.C. § 227(c).

20 1015. Waylon Zeigler personally owns and uses the cellular phone number xxx-xxx-
21 4123. This number is a residential telephone subscription. In the four years preceding
22 4/22/2020 (the date Zeigler's original Complaint was filed), GoSmith sent Zeigler at least 11
23 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text
24 messages using an automatic telephone dialing system in violation of 47 U.S.C. §
25 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these
26 text messages without instituting procedures that meet the minimum standards required for
27 telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Zeigler seeks an

1 amount not less than \$16,500 for at least 11 knowing and willful violations of 47 U.S.C. §
2 227(b), and an amount not less than \$16,500 for at least 11 knowing and willful violations of
3 47 U.S.C. § 227(c). Alternatively, Zeigler seeks an amount not less than \$5,500 for at least 11
4 negligent violations of 47 U.S.C. § 227(b), and not less than \$5,500 for at least 11 negligent
5 violations of 47 U.S.C. § 227(c). Finally, GoSmith sent Zeigler at least 11 commercial text
6 messages in violation of RCW §§ 19.190.060, 19.86.090, 80.36.400, and an undetermined
7 number of telephone solicitations in violation of RCW § 80.36.390, for which Zeigler seeks an
8 amount not less than \$5,500, attorney's fees, injunctive relief, and treble damages.

9 1016. Ammar Ziadah personally owns and uses the cellular phone number xxx-xxx-
10 7043. This number is a residential telephone subscription and is Ammar's personal cell phone
11 and his only phone. In the four years preceding 1/30/2020 (the date Ziadah's original
12 Complaint was filed), GoSmith sent Ziadah at least 552 telemarketing text messages at this
13 number, at least 4 per week, and double that number of telemarketing calls each week.
14 GoSmith knowingly and willfully sent these text messages and calls using an automatic
15 telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §
16 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages and calls without
17 instituting procedures that meet the minimum standards required for telemarketing in violation
18 of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Ziadah seeks an amount not less than
19 \$2,484,000 for at least 1,656 knowing and willful violations of 47 U.S.C. § 227(b), and an
20 amount not less than \$2,484,000 for at least 1,656 knowing and willful violations of 47 U.S.C.
21 § 227(c). Alternatively, Ziadah seeks an amount not less than \$828,000 for at least 1,656
22 negligent violations of 47 U.S.C. § 227(b), and not less than \$828,000 for at least 1,656
23 negligent violations of 47 U.S.C. § 227(c).

24 1017. Paul Zoino personally owns and uses the cellular phone number xxx-xxx-5301.
25 This number is a residential telephone subscription and is Zoino's personal cell phone. It is his
26 only phone, and the phone he uses for personal calls. It is on a personal/family plan with the
27 cellphone service provider. Zoino also uses this number with freelance work calls for his

home-based business. On 8/6/2005, Zoino registered this number on the National Do Not Call Registry. In the four years preceding 1/30/2020 (the date Zoino's original Complaint was filed), GoSmith sent Zoino at least 13 telemarketing text messages at this number. GoSmith knowingly and willfully sent these text messages using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. § 64.1200(a)(7). GoSmith knowingly and willfully sent these text messages without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Also in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(c), GoSmith knowingly and willfully sent at least 2 text messages to Zoino within a 12-month period after Zoino was registered on the National Do Not Call Registry, including but not limited to the period between 4/27/2017 and 4/27/2018. Zoino seeks an amount not less than \$19,500 for at least 13 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$19,500 for at least 13 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Zoino seeks an amount not less than \$6,500 for at least 13 negligent violations of 47 U.S.C. § 227(b), and not less than \$6,500 for at least 13 negligent violations of 47 U.S.C. § 227(c).

1018. Eliashib (Eli) Zwonitzer personally owns and uses the cellular phone number xxx-xxx-4376. This number is a residential telephone subscription and is Zwonitzer's personal cell phone. It is the only phone he uses for personal calls, having a separate, dedicated cell phone for his business calls (which ends in -8350 and is through a different cell phone carrier). Zwonitzer's personal cell phone, ending in -4376, is on a family plan with Verizon Wireless, and has always been dedicated to his personal calls. After Zwonitzer created his home-based business in 2018, he got a separate phone for his business. Zwonitzer's personal cell phone is on a personal/family plan with the cellphone service provider. In the four years preceding 4/28/2020 (the date Zwonitzer's original Complaint was filed), since 2018, GoSmith sent Zwonitzer at least 40 telemarketing text messages and calls at his personal cell phone number. GoSmith knowingly and willfully sent these text messages and calls using an automatic telephone dialing system in violation of 47 U.S.C. § 227(b)(1)(A)(iii) and 47 C.F.R. §

64.1200(a)(7). GoSmith knowingly and willfully sent these text messages and calls without instituting procedures that meet the minimum standards required for telemarketing in violation of 47 U.S.C. § 227(c) and 47 C.F.R. § 64.1200(d). Zwonitzer seeks an amount not less than \$60,000 for at least 40 knowing and willful violations of 47 U.S.C. § 227(b), and an amount not less than \$60,000 for at least 40 knowing and willful violations of 47 U.S.C. § 227(c). Alternatively, Zwonitzer seeks an amount not less than \$20,000 for at least 40 negligent violations of 47 U.S.C. § 227(b), and not less than \$20,000 for at least 40 negligent violations of 47 U.S.C. § 227(c).

VI. Legal Standard

A. *The Telephone Consumer Protection Act*

1019. The Telephone Consumer Protection Act (“TCPA”; 47 U.S.C. § 227; 47 C.F.R. § 64.1200) is a federal law that imposes various restrictions on telephone calls, including the following:

1020. **Autodialers** - No person or entity shall make a call “using an automatic telephone dialing system or an artificial or prerecorded voice... [t]o any... cellular telephone” unless the call is “made for emergency purposes or made with the prior express consent of the called party.” 47 U.S.C. § 227(b)(1)(A)(iii); *see also* 47 C.F.R. § 64.1200(a)(1).

1021. **National Do Not Call Registry** - “No person or entity shall initiate any telephone solicitation to... [a] residential telephone subscriber who has registered his or her telephone number on the national do-not-call registry.” 47 C.F.R. § 64.1200(c)(2).

1022. **Internal Do Not Call Lists** - “No person or entity shall initiate any call for telemarketing purposes to a residential telephone subscriber” without instituting procedures for maintaining an internal do-not-call list. 47 C.F.R. § 64.1200(d). These “procedures **must** meet the following **minimum** standards:” Telemarketers “**must** have a written policy, available upon demand, for maintaining a do-not-call list.” *Id.* at (d), (d)(1). Anyone engaged in “any aspect of [the] telemarketing must be informed and trained in the existence and use of the do-not-call list.” *Id.* at (d)(2). When people request not to receive calls, the telemarketer must

1 “record the request and place the subscriber’s... telephone number on the do-not-call list,” and
 2 the request must be honored within a “reasonable time.” *Id.* at (d)(3). The telemarketer “**must**
 3 provide the called party with the name of the individual caller, the name of the person or entity
 4 on whose behalf the call is being made, and a telephone number or address at which the person
 5 or entity may be contacted.” *Id.* at (d)(4) (emphasis added).

6 1023. **Delivery Restrictions** – “No person or entity may. . .[a]bandon more than three
 7 percent of all telemarketing calls that are answered live by a person, as measured over a 30-day
 8 period for a single calling campaign.” 47 C.F.R. § 64.1200(a)(7). A call is abandoned “if it is
 9 not connected to a live sales representative within two (2) seconds of the called person’s
 10 completed greeting.” *Id.* If a live sales representative is not available within two seconds, “the
 11 telemarketer **must** provide: A prerecorded identification and opt-out message” that discloses
 12 the telemarketing purpose of the call and the name of the entity on whose behalf the call was
 13 placed and a telephone number for that entity that will permit the called person to make a do-
 14 not-call request. . . ” *Id.* at (a)(7)(i)(A) (emphasis added). If the call is abandoned, the
 15 telemarketer **must** also provide an “automated, interactive voice-and/or key press-activated
 16 opt-out mechanism” that allows the called person to make a do-not-call request prior to
 17 terminating the call, which mechanism “**must** automatically record” the called person’s request
 18 and “immediately terminate” the call. *Id.* at (a)(7)(i)(B) (emphasis added). Finally, the seller or
 19 telemarketer “**must** maintain records establishing compliance” with this section. *Id.* at
 20 (a)(7)(iii) (emphasis added).

21 **TCPA Terms Defined:**

22 1024. Both phone calls and text messages qualify as a “call” under the TCPA. *See*
 23 *Campbell-Ewald Co. v. Gomez*, 136 S. Ct. 663, 667 (2016).

24 1025. The consent standard rises from prior express consent to “prior express **written**
 25 consent” for any call to a cell phone that “introduces an advertisement or constitutes
 26 telemarketing” where the call is made using an automatic telephone dialing system or an
 27 artificial or prerecorded voice. 47 C.F.R. § 64.1200(a)(2) (emphasis added).

1 1026. The term “prior express written consent” means “an agreement, in writing,
2 bearing the signature of the person called that clearly authorizes the seller to deliver or cause to
3 be delivered to the person called advertisements or telemarketing messages using an automatic
4 telephone dialing system.” *Id.* at (f)(8). The written agreement must “include a clear and
5 conspicuous disclosure informing the person signing that [b]y executing the agreement, such
6 person authorizes the seller to deliver or cause to be delivered to the signatory telemarketing
7 calls using an automatic telephone dialing system.” *Id.* at (f)(8)(i)(A).

8 1027. “The term ‘automatic telephone dialing system’ means equipment which has the
9 capacity—(A) to store or produce telephone numbers to be called, using a random or sequential
10 number generator; and (B) to dial such numbers.” 47 U.S.C. § 227(a)(1).

11 1028. The 9th Circuit has interpreted this to mean “equipment which has the capacity—
12 (1) to store numbers to be called or (2) to produce numbers to be called, using a random or
13 sequential number generator—and to dial such numbers.” *Marks v. Crunch San Diego, LLC*,
14 904 F.3d 1041, 1052 (9th Cir. Sep. 20, 2018).

15 1029. “The term ‘advertisement’ means any material advertising the commercial
16 availability or quality of any property, goods, or services.” 47 C.F.R. 64.1200(f)(1).

17 1030. “The term ‘telephone solicitation’ means the initiation of a telephone call or
18 message for the purpose of encouraging the purchase or rental of, or investment in, property,
19 goods, or services, which is transmitted to any person.” *Id.* at (f)(14).

20 1031. “The term ‘telemarketing’ means the initiation of a telephone call or message for
21 the purpose of encouraging the purchase or rental of, or investment in, property, goods, or
22 services, which is transmitted to any person.” *Id.* at (f)(12).

23 1032. In determining whether a communication constitutes telemarketing, a court must
24 evaluate the ultimate purpose of the communication. *See Golan v. Veritas Entm't, LLC*, 788
25 F.3d 814, 820 (8th Cir. 2015).

1 1033. “Neither the TCPA nor its implementing regulations ‘require an explicit mention
2 of a good, product, or service’ where the implication of an improper purpose is ‘clear from the
3 context.’” *Id.* (citing *Chesbro v. Best Buy Stores, L.P.*, 705 F.3d 913, 918 (9th Cir. 2012)).

4 1034. Calls motivated in part by the intent to sell property, goods, or services are
5 considered telemarketing under the TCPA. *See In re Rules and Regulations Implementing the*
6 *Telephone Consumer Protection Act of 1991*, 18 FCC Rcd. 14014, ¶¶ 139-142 (2003)
7 (hereinafter “2003 FCC Order”). This is true whether call recipients are encouraged to
8 purchase, rent, or invest in property, goods, or services during the call or in the future. *Id.*

9 ***B. Standing Under the TCPA***

10 1035. The TCPA provides a private right of action to any “person or entity” who
11 receives autodialed, artificial, or prerecorded calls in violation of 47 U.S.C. § 227(b)(1)(A).
12 *See* 47 U.S.C. § 227(b)(3).

13 1036. The TCPA provides a private right of action to residential telephone subscribers
14 who are registered on the Registry and who receive more than one telephone solicitation
15 “within any 12-month period by or on behalf of the same entity.” 47 U.S.C. § 227(c)(5); *see*
16 *also* 47 U.S.C. § 227(c)(1)-(3), 47 C.F.R. § 64.1200(c).

17 1037. The TCPA provides a private right of action to residential telephone subscribers
18 who receive more than one telemarketing call “within any 12-month period by or on behalf of
19 the same entity” that has not instituted procedures that meet the minimum standards for
20 telemarketing. 47 U.S.C. § 227(c)(5); *see also* 47 U.S.C. § 227(c)(1)(A), 47 C.F.R. §
21 64.1200(d).

22 1038. In an action under 227(b), a plaintiff must only show that the defendant “called a
23 number assigned to a cellular telephone service using an automatic dialing system or
24 prerecorded voice.” *Breslow v. Wells Fargo Bank, N.A.*, 857 F. Supp. 2d 1316, 1319 (S.D. Fla.
25 2012), *aff’d*, 755 F.3d 1265 (11th Cir. 2014).

1 1039. A plaintiff alleging a violation under the TCPA “need not allege any additional
2 harm beyond the one Congress has identified.” *Van Patten v. Vertical Fitness Grp., LLC*, 847
3 F.3d 1037 (9th Cir. 2017) (quoting *Spokeo, Inc. v. Robins*, 136 S. Ct. 1540 (2016)).

4 1040. The receipt of a telemarketing or unsolicited call “demonstrates more than a bare
5 violation and satisfies the concrete-injury requirement for standing.” *Leyse v. Lifetime Entm't*
6 *Servs., LLC*, Nos. 16-1133-cv, 16-1425-cv, 2017 U.S. App. LEXIS 2607 (2d Cir. 2017) (citing
7 *In re Methyl Tertiary Butyl Ether (MTBE) Prods. Liab. Litig.*, 725 F.3d 65, 105 (2d Cir. 2013)
8 (“The injury-in-fact necessary for standing need not be large; an identifiable trifle will
9 suffice.”); *Golan v. Veritas Entm't, LLC*, 788 F.3d 814, 819-21 (8th Cir. 2015) (holding that
10 receipt of two brief unsolicited robocalls as voicemail messages was sufficient to establish
11 standing under TCPA).

12 1041. Recovery under the TCPA is allowed for each breach of the subsections
13 independently. “Congress evidenced its intent that a person be able to recover for the
14 telemarketer's failure to institute the minimum procedures for maintaining a do-not-call list as
15 well as the additional harm of the call being automated.” *Charvat v. NMP, LLC*, 656 F.3d 440,
16 448 (6th Cir. 2011). Thus, “a person may recover statutory damages of \$1500 for a willful or
17 knowing violation of the automated-call requirements, § 227(b)(3), and \$1500 for a willful or
18 knowing violation of the do-not-call-list requirements, § 227(c)(5)—even if both violations
19 occurred in the same telephone call.” *Id.* at 449.

20 1042. Congress made clear that the TCPA was meant to protect both consumers and
21 businesses. Congress enumerated 15 findings when passing the TCPA, four of which explicitly
22 reference businesses and Congress’s intent to protect them:

23 1043. “The use of the telephone to market goods and services to the home and other
24 businesses is now pervasive due to the increased use of cost-effective telemarketing
25 techniques.” Congressional Statement of Findings, § 2, Pub.L. 102-243 (emphasis added).

26 1044. “Over 30,000 businesses actively telemarket goods and services to business and
27 residential customers.” *Id.* (emphasis added).

1 1045. “Businesses also have complained to the Congress and the Federal
2 Communications Commission that automated or prerecorded telephone calls are a nuisance,
3 are an invasion of privacy, and interfere with interstate commerce. *Id.* (emphasis added).

4 1046. “The Federal Communications Commission should consider adopting reasonable
5 restrictions on automated or prerecorded calls to businesses as well as to the home, consistent
6 with the constitutional protections of free speech.” *Id.* (emphasis added).

7 1047. The regulations for the National Do Not Call Registry, found in 47 C.F.R. §
8 64.1200(c), and the regulations for company-specific Internal Do Not Call lists, found in 47
9 C.F.R. § 64.1200(d), apply to “wireless telephone numbers to the extent described in the [FCC]
10 Commission’s Report and Order, CG Docket No. 02-278, FCC 03-153.” 47 C.F.R. §
11 64.1200(e).

12 1048. In the Report and Order cited in the C.F.R. above, the FCC concluded “that the
13 national database should allow for the registration of wireless telephone numbers, and that such
14 action will better further the objectives of the TCPA and the Do-Not-Call Act.” 2003 FCC
15 Order, 18 FCC Rcd. 14014 at ¶ 33.

16 1049. In 2005, the Direct Marketing Association (“DMA”) asked the FCC to reconsider
17 and make a ruling that “[i]f the caller is calling [a residential line] for a business purpose, and
18 understands that the number dialed is used for business purposes, the caller should not have to
19 scrub the number against the national DNC list.” Petition for Reconsideration at 10, last
20 accessed September 10, 2020 at <https://ecfsapi.fcc.gov/file/6514782187.pdf>.

21 1050. The DMA gave examples of individuals fitting this description that the DMA
22 wanted permission to contact, from “the American farmer [who] has a ‘residential’ listing, but
23 uses that phone number both for personal use and for business purposes” to the self-employed
24 consultant, freelance photographer, or web designer. *Id.* at 9-10.

25 1051. The FCC declared “[w]e disagree with the DMA that the rules should be revised
26 to expressly exempt calls to business numbers.” *Rules & Regulations Implementing the*
27 *Telephone Consumer Protection Act of 1991*, 20 FCC Rcd. 3788, 3793 (2005) (hereinafter

1 “2005 FCC Order”). “We also decline to exempt from the do-not-call rules those calls made to
 2 ‘home-based businesses.’” *Id.* In other words, telemarketing calls to home-based businesses are
 3 prohibited. Mixed business and personal use of a residential number, particularly numbers used
 4 in connection with a home-based business, does not remove an individual’s standing to bring
 5 claims for TCPA violations. The FCC has stated that residential telephone subscribers who
 6 also use their phone number for business purposes are protected on the Do Not Call Registry.

7 **C. Individual Officer Liability Under the TCPA**

8 1052. Under the TCPA, an individual may be personally liable pursuant to 47 U.S.C. §
 9 217, which provides that the “act, omission, or failure... of any officer... acting for or
 10 employed by any common carrier or user, acting within the scope of his employment, shall in
 11 every case be also deemed to be the act, omission, or failure... of such carrier or user as well as
 12 of that person.” 47. U.S.C. § 217.

13 1053. To violate the TCPA is to commit a tort, and a “corporate officer is individually
 14 liable for the torts he personally commits and cannot shield himself behind a corporation when
 15 he is an actual participant in the tort.” *Donsco, Inc. v. Casper Corp.*, 587 F. 2d 602 (3d Cir.
 16 1978).

17 1054. When considering individual officer liability, courts have agreed that a corporate
 18 officer involved in the telemarketing may be personally liable under the TCPA. *See, e.g., City*
 19 *Select Auto Sales Inc. v. David Randall Assocs., Inc.*, 885 F.3d 154, (3d Cir. 2018) (“[A]
 20 corporate officer can face personal liability under the TCPA for actions he personally
 21 authorized or took.”) (J. Schwartz, concurring in the majority opinion, which reads: “a
 22 corporate officer can be personally liable [under the TCPA] if he . . . actively oversaw and
 23 directed the conduct.”); *Jackson Five Star Catering, Inc. v. Beason*, 2013 U.S. Dist. LEXIS
 24 159985, *10 (E.D. Mich. Nov. 8, 2013) (“[M]any courts have held that corporate actors can be
 25 individually liable for violating the TCPA “where they ‘had direct, personal participation in or
 26 personally authorized the conduct found to have violated the statute.”); *Maryland v. Universal*
 27

1 *Elections*, 787 F. Supp. 2d 408, 415-16 (D. Md. 2011) (“If an individual acting on behalf of a
2 corporation could avoid individual liability, the TCPA would lose much of its force.”).

3 ***D. The Washington Consumer Protection Act, Automatic Dialing and Announcing***
4 ***Device Statute, Do Not Call Statute, and the Commercial Electronic Mail Act***

5 1055. The Washington Consumer Protection Act ("WCPA") is a Washington state law
6 that imposes various restrictions on unfair business practices. RCW 19.86.010, et seq.

7 1056. Under the WCPA, “[a]ny person who is injured in his or her business” may bring
8 a civil suit for injunctive relief, damages, attorney’s fees, and treble damages. RCW 19.86.090.

9 1057. The Commercial Electronic Mail Act ("CEMA") precludes "the transmission of
10 an electronic commercial text message to a telephone number assigned to a Washington
11 resident for cellular telephone or pager service...." RCW 19.190.060. “No person conducting
12 business in the state may initiate or assist in the transmission of an electronic commercial text
13 message to a telephone number assigned to a Washington resident for cellular [service]." RCW
14 19.190.060(1).

15 1058. A person may send commercial text messages only when the recipient "has
16 clearly and affirmatively consented in advance" to the text messages. RCW 19.190.070(1)(b).

17 1059. Sending electronic text messages without consent is "not reasonable in relation to
18 the development and preservation of business," is "an unfair method of competition," and
19 constitutes a violation of "chapter 19.86 RCW." *Id.* 19.190.060(2).

20 1060. "Commercial electronic text message" means an electronic text message sent to
21 promote... services for sale." RCW 19.190.010.

22 1061. Sending electronic text messages without consent is "an unfair or deceptive act,"
23 occurring "in trade or commerce," and "vitally affect[s] the public interest." The text messages
24 are a per se violation of the Washington Consumer Protection Act ("WCPA" or “CPA”) under
25 "chapter 19.86 RCW." *Id.* 19.190.060(2).

26 1062. Because "there is no private right of action under CEMA, the only way to give
27 effect to the legislature’s stated intent is to construe the liquidated damages provision as

1 establishing the injury and causation elements of a CPA claim." *Gragg v. Orange Cab Co.*, 145
 2 F. Supp. 3d 1046, 1053 (W.D. Wash. 2015) (J. Lasnik).

3 1063. RCW § 80.36.400(2) provides that, "No person may use an automatic dialing and
 4 announcing device for purposes of commercial solicitation. This section applies to all
 5 commercial solicitation intended to be received by telephone customers within the state."

6 1064. A violation of RCW § 80.36.400 is per se violation of the WCPA, RCW § 19.86.
 7 "It shall be presumed that damages to the recipient of commercial solicitations made using an
 8 automatic dialing and announcing device are five hundred dollars." RCW § 80.36.400(3).

9 1065. RCW § 80.36.390 prohibits telephone solicitation within a one-year period
 10 following the called party's statement or indication that he or she does not wish to be called
 11 again.

12 1066. A person aggrieved by repeated violations of RCW § 80.36.390 may bring a civil
 13 action to recover damages. "The court shall award damages of at least one hundred dollars for
 14 each individual violation of this section. If the aggrieved person prevails in a civil action under
 15 this subsection, the court shall award the aggrieved person reasonable attorneys' fees and cost
 16 of the suit." RCW § 80.36.390(6).

17 ***E. Alter Ego Liability***

18 1067. "The alter ego theory derives from the notion that courts should not respect the
 19 separateness of a corporation and its parent where the parent exerts such an amount of control
 20 and dominance over the corporation that it becomes a mere shell or "alter ego" of the parent for
 21 accomplishing improper purposes. *Johnson v. Marriott Int'l Inc.*, 2017 WL 1957071, *4 (W.D.
 22 Wa. May 11, 2017) (citing *U.S. v. Bestfoods*, 524 U.S. 51, 61-62 (1988)).

23 1068. In order to establish an alter ego relationship, "the plaintiff must make out a prima
 24 facie case '(1) that there is such unity of interest and ownership that the separate personalities
 25 [of the two entities] no longer exist and (2) that failure to disregard [their separate identities]
 26 would result in fraud or injustice.'" *Doe v. Unocal Corp.*, 248 F.3d 915, 926 (9th Cir. 2001).
 27

1 The plaintiff must show that the parent controls the subsidiary “to such a degree as to render
2 the latter the mere instrumentality of the former.” *Id.*

3 ***F. Vicarious Liability***

4 1069. For more than twenty years, the FCC has explained that its “rules generally
5 establish that the party on whose behalf a solicitation is made bears ultimate responsibility for
6 any violations.” *In re Rules & Regulations Implementing the TCPA*, 10 FCC Rcd 12391, 12397
7 (¶ 13) (August 7, 1995).

8 1070. In 2008, the FCC likewise held that a company on whose behalf a telephone call
9 is made bears the responsibility for any violations. *See In re Rules and Regulations*
10 *Implementing the Telephone Consumer Protection Act of 1991*, 23 FCC Rcd. 559, 564
11 (January 4, 2008).

12 1071. In 2013, the FCC instructed that Defendants may not avoid liability by
13 outsourcing their telemarketing to third parties. *In re Joint Petition Filed by DISH Network,*
14 *LLC et al. for Declaratory Ruling Concerning the TCPA Rules*, 28 FCC Rcd 6574, 6588 ¶37
15 (2013).

16 1072. The FCC stated that corporations are “vicariously liable under federal common
17 law principles of agency for violations of either section 227(b) or section 227(c) that are
18 committed by third-party telemarketers.” *Id.* at 6574. This includes principles of formal
19 agency, apparent authority, and ratification. *Id.* at 6584.

20 1073. Federal common law agency principles are based off of the Restatement (Third)
21 of Agency. *Henderson v. United Student Aid Funds, Inc.*, 918 F.3d 1068, 1072-73 (9th Cir.
22 2019).

23 1074. An agent has actual authority when “the agent reasonably believes... that the
24 principal wishes the agent so to act.” Restatement (Third) of Agency § 2.01 (2006).

25 1075. An agent has apparent authority when “a third party reasonably believes the actor
26 has authority to act on behalf of the principal and that belief is traceable to the principal's
27 manifestations.” Restatement (Third) of Agency § 2.03 (2006).

1076. If there is no agency relationship, ratification can create one. Ratification can happen in one of two ways: (i) When there is an “externally observable indication” that a principal has “[actual] knowledge of material facts” regarding a third party’s acts, and accepts the benefits of—and consents to—said acts; or (ii) When a principal is “willful[ly] ignoran[t]” of the material facts of a third party’s acts. *Henderson v. United Student Aid Funds, Inc.*, 918 F.3d 1068, 1073-74 (9th Cir. 2019).

VII. First Cause of Action: Illegal Use of an ATDS

1077. Plaintiffs incorporate by reference all of the above paragraphs of this Complaint as though fully stated herein.

1078. The Defendants’ use of an ATDS to contact Plaintiffs constitutes a violation of 47 U.S.C. § 227(b).

1079. Alternatively, Defendants’ abandonment of more than 3% of calls without providing: 1) information disclosing the telemarketing nature of the texts and calls, 2) information identifying the entity the calls and texts were placed on behalf of and a phone number where Plaintiffs could opt-out of the calls, and 3) an automatic opt-out mechanism within the text or call, constitutes a separate violation of 47 U.S.C. § 227(b)’s provisions as established and promulgated by 47 C.F.R. § 16.1200(a)(7).

1080. As a result of Defendants’ negligent violations of 47 U.S.C. § 227(b) and 47 C.F.R. § 16.1200(a)(7), Plaintiffs are entitled to an award of \$500.00 in statutory damages, for each and every violation, pursuant to 47 U.S.C. § 227(b)(3)(B).

1081. As a result of Defendants’ knowing and/or willful violations of 47 U.S.C. § 227(b) and 47 C.F.R. § 16.1200(a)(7), Plaintiffs are entitled to an award of \$1,500.00 in statutory damages, for each and every violation, pursuant to 47 U.S.C. § 227(b)(3)(B) and 47 U.S.C. § 227(b)(3)(C).

1082. Plaintiffs are also entitled to and seek injunctive relief prohibiting such conduct in the future.

VIII. Second Cause of Action: Failure to Maintain and Follow

Internal Do Not Call Procedures

1083. Plaintiffs incorporate by reference all of the above paragraphs of this Complaint as though fully stated herein.

1084. Defendants' contact of Plaintiffs' cellular phone numbers without instituting and following procedures that meet the minimum standards for telemarketing established in and promulgated by 47 C.F.R. §64.1200(d) constitutes a separate violation of 47 U.S.C. § 227(c).

1085. As a result of Defendants' negligent violations of the internal do not call requirements of 47 C.F.R. §64.1200(d), Plaintiffs are entitled to an award of \$500.00 in statutory damages for each and every violation, pursuant to 47 U.S.C. § 227(c)(5)(B).

1086. As a result of Defendants' knowing and/or willful violations of the internal do not call requirements of 47 C.F.R. §64.1200(d), Plaintiffs are entitled to an award of \$1,500.00 in statutory damages for each and every violation, pursuant to 47 U.S.C. § 227(c)(5)(B) and 47 U.S.C. § 227(c)(5)(C).

1087. Plaintiffs are also entitled to and seek injunctive relief prohibiting such conduct in the future.

IX. Third Cause of Action: Illegal Solicitation of Persons

on the National Do Not Call Registry

1088. Plaintiffs incorporate by reference all of the above paragraphs of this Complaint as though fully stated herein.

1089. Defendants' contact of those Plaintiffs' cellular phones whose numbers appear on the National Do Not Call Registry constitutes violations of 47 U.S.C. § 227(c) and 47 C.F.R. §64.1200(c).

1090. As a result of Defendants' negligent violations of 47 U.S.C. § 227(c), Plaintiffs are entitled to an award of \$500.00 in statutory damages for each and every violation, pursuant to 47 U.S.C. § 227(c)(5)(B).

1091. As a result of Defendants' knowing and/or willful violations of 47 U.S.C. § 227(c), Plaintiffs are entitled to an award of \$1,500.00 in statutory damages for each and every violation, pursuant to 47 U.S.C. § 227(c)(5)(B) and 47 U.S.C. § 227(c)(5)(C).

1092. Plaintiffs are also entitled to and seek injunctive relief prohibiting such conduct in the future.

X. Fourth, Fifth, and Sixth Causes of Action:

Violations of the WCPA and the Washington Do Not Call Statutes

1093. Plaintiffs incorporate by reference all of the above paragraphs of this Complaint as though fully stated herein.

1094. Defendants' sending of commercial text messages to the Washington Plaintiffs' cellular phones without consent constitutes violations of RCW 19.190.060 and a per se violation of the WCPA, RCW 19.86.010.

1095. Defendants' use of an automatic dialing and announcing device to send text messages to and to call the Washington Plaintiffs' cellular phones without consent violates RCW § 80.36.400 and is a per se violation of the WPCA.

1096. Defendants' continued text messages and telephone calls to the Washington Plaintiffs' within a year after the Washington Plaintiffs requested Defendants' stop contacting them constitutes violations of RCW § 80.36.390.

1097. As a result of Defendants' violations of RCW 19.190.060 and per se violations of the WCPA, the Washington Plaintiffs are entitled to an award of \$500.00 in statutory damages for each and every violation, pursuant to RCW 19.190.060.

1098. As a result of Defendants' violations of RCW § 80.36.400 and per se violations of the WCPA, the Washington Plaintiffs are entitled to an award of \$500.00 in statutory damages for each and every violation, pursuant to RCW 19.190.060.

1099. As a result of Defendants' violations of RCW § 80.36.390, the Washington Plaintiffs are entitled to an award of \$100.00 in statutory damages for each and every violation,

1 pursuant to RCW § 80.36.390. The Washington Plaintiffs are also entitled to recover
2 reasonable attorney's fees pursuant to RCW § 80.36.390.

3 1100. The Washington Plaintiffs are also entitled to and seek injunctive relief
4 prohibiting such conduct in the future.

5 **XI. Relief Requested**

6 1101. WHEREFORE, Plaintiffs respectfully request the Court grant Plaintiffs the
7 following relief against Defendants:

8 1102. Plaintiffs seek an amount to be determined at trial that is not less than
9 **\$ 193,033,500.00** as a result of at least **128,700** violations of 47 U.S.C. § 227(b).

10 1103. Plaintiffs also seek an amount to be determined at trial that is not less than
11 **\$ 183,662,500.00** as a result of at least **122,446** violations of 47 U.S.C. § 227(c).

12 1104. Washington Plaintiffs also seek an amount to be determined at trial that is not less
13 than **\$ 5,858,500.00** as a result of at least **11,771** violations of RCW §§ 19.86.010, 19.86.090,
14 19.190.060, and 80.36.400.

15 1105. Washington Plaintiffs also seek an amount to be determined at trial for violations
16 of RCW § 80.36.390.

17 1106. Plaintiffs seek costs pursuant to 28 U.S.C. § 1920.

18 1107. Plaintiffs seek judgment interest pursuant to 28 U.S.C. § 1961.

19 1108. Washington Plaintiffs seek attorney's fees pursuant to R.C.W. § 80.36.390.

20 1109. Washington Plaintiffs seek treble damages pursuant to R.C.W. § 19.86.090.

21 1110. Plaintiff Calvin Richards seeks actual damages in the amount of the cost of his
22 new telephone number and the cost of hiring a secretary to manage his previously-personal
23 phone calls and texts, which loss and harm GoSmith caused by spamming his personal number
24 until Richards could no longer manage it.

25 1111. Plaintiffs seek injunctive relief prohibiting such conduct in the future.

26 1112. Plaintiffs seek any other relief the Court may deem just and proper.
27

XII. Jury Demand

1113. Plaintiffs request a trial by jury of all claims that can be so tried.

Dated: November 25, 2020

/s/ Rebecca Evans
Rebecca Evans, UT #16846 (PHV)

/s/ Crystal Cooke
Crystal Cooke, ct28750 (PHV forthcoming)

/s/ Mitchell West
Mitchell West, WSBA #53103

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